

VENTURA WEST MARINA REDEVELOPMENT PROJECT

Initial Study and Mitigated Negative Declaration

The following Initial Study has been prepared in compliance with the
California Environmental Quality Act.

Prepared For:

Ventura Port District
1603 Anchor's Way Drive
Ventura, California 93001

Prepared By:

Impact Sciences, Inc.
811 W. 7th Street, Suite 200
Los Angeles, California 90017

June 2025

TABLE OF CONTENTS

Section	Page
Introduction.....	1
I. Project Information.....	4
II. Project Location and Description	5
III. Environmental Factors Potentially Affected.....	14
IV. Determination	15
V. Evaluation of Environmental Impacts.....	16
VI. Supporting Information Sources	128
VII. Initial Study Preparers	131
 <u>Appendices</u>	
A Air Quality and Greenhouse Gas Report	
B Biological Resources Report	
C Cultural Resources Evaluation	
D Noise Technical Report	
E Transportation Impact Study	

LIST OF FIGURES

Figure	Page
1 Regional Vicinity	6
2 Aerial Photograph of the Project Site.....	7
3 Proposed Ventura Marina West Slip Layout.....	9
4 Existing Ventura Marina West Slip Layout	11

LIST OF TABLES

Table	Page
1 Air Quality Data Summary (2021 – 2023).....	26
2 Estimated Unmitigated Maximum Daily Construction Emissions	28
3 List Of Species Observed During Marine Biological Assessment Survey	32
4 Major Fault Zones Within Close Proximity to the Project Site.....	54
5 Estimated Project Construction GHG Emissions	68
6 Consistency with Applicable Greenhouse Gas Reduction Strategies	67
7 Project Consistency with the Applicable California Coastal Act Policies	87
8 City of Ventura Designated Noise Standards.....	90
9 Caltrans Building Damage Vibration Guidelines	91
10 Construction Equipment Noise Levels.....	96
11 Pile replacement sound generating activities proposed for the Project.....	98
12 Distance to adopted fish thresholds for onset of physical injury and behavior for pile replacement construction activities.....	99
13 Vibration PPV Levels During Construction	101

INTRODUCTION

INITIAL STUDY

Pursuant to Section 15063 of the *California Environmental Quality Act (CEQA) Guidelines* (Title 14, California Code of Regulations, Sections 15000 et seq.), an initial study is a preliminary environmental analysis that is used by the lead agency (the public agency principally responsible for approving or carrying out the project) as a basis for determining whether an environmental impact report, a mitigated negative declaration, or a negative declaration is required for a project. The *State CEQA Guidelines* require that an Initial Study contain a project description, description of existing setting, identification of environmental effects by checklist or other similar form, explanation of environmental effects, discussion of mitigation for significant environmental effects, evaluation of the project's consistency with existing, applicable land use controls, and the name of persons who prepared the study.

The purpose of this Initial Study is to evaluate the potential environmental impacts of the proposed Ventura West Marina Redevelopment Project (herein referenced as the "Project"). The Project would replace the existing aged docks and pilings with new state-of-the-art docks and pilings, on the waterside 12.5 acres of Ventura Harbor Parcel 17.

PUBLIC AND AGENCY REVIEW

This Initial Study / Proposed Mitigated Negative Declaration will be circulated for public and agency review from **June 2, 2025**, to **July 2, 2025**. Copies of this document are available for review at 603 Anchors Way Drive, Ventura, California, and on the Ventura Port District's website at <https://venturaharbor.com/environmental-documents/>. Comments on this Initial Study / Proposed Mitigated Negative Declaration must be received no later than 5:00 PM on **July 2, 2025**, and can be mailed or emailed to:

Ventura Port District
Jessica Rauch
Executive Assistant / Clerk of the Board
1603 Anchors Way Drive
Ventura, California 93001
jrauch@venturaharbor.com

ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into the following sections:

- **Section I – Project Information:** provides summary background information about the Project, including Project location, lead agency, and contact information.
- **Section II – Project Location and Description:** includes a description of the Project, including the need for the Project, the Project objectives, and the elements included in the Project.
- **Section III – Environmental Factors Potentially Affected:** identifies what environmental resources, if any, would involve at least one significant or potentially significant impact that cannot be reduced to a less than significant level.
- **Section IV – Determination:** indicates whether impacts associated with the Project would be significant, and what, if any, additional environmental documentation is required.
- **Section V – Evaluation of Environmental Impacts:** contains the Environmental Checklist form for each resource and presents an explanation of all checklist answers. The checklist is used to assist in evaluating the potential environmental impacts of the Project and determining which impacts, if any, need to be further evaluated in an EIR.
- **Section VI – Supporting Information Sources:** lists references used in the preparation of this document.
- **Section VII – Initial Study Preparers:** lists the names of individuals involved in the preparation of this document.
- **Appendices:** present the technical studies used in the preparation of this Initial Study.

I. PROJECT INFORMATION

1. PROJECT TITLE

Ventura West Marina Redevelopment Project

2. LEAD AGENCY NAME AND ADDRESS

Ventura Port District
1603 Anchors Way Drive
Ventura, California 93001

3. CONTACT PERSON AND PHONE NUMBER

Jessica Rauch
Executive Assistant/Clerk of the Board
(805) 864-2741

4. PROJECT LOCATION

1198 Navigator Drive
Ventura, California 93001

5. PROJECT SPONSOR'S NAME AND ADDRESS

TBBW Company, LP
1198 Navigator Drive
Ventura, California 93001

6. CITY OF VENTURA GENERAL PLAN DESIGNATION

Commerce

7. CITY OF VENTURA ZONING

Harbor Commercial

II. PROJECT DESCRIPTION

1. DESCRIPTION OF PROJECT

Location

The Ventura West Marina Redevelopment Project (Project) is located on 12.5 waterside acres on Ventura Harbor Parcel 17 (APN 080-0-240-325) (Project Site). The Project Site is situated within the larger Ventura Harbor located within the City of Ventura. Ventura Harbor is a 274-acre multiuse recreational and commercial fishing small craft harbor owned and operated by the Ventura Port District (District). The District's property holdings include approximately 122 acres of water area and 152 acres of land. (See **Figure 1, Regional Vicinity** and **Figure 2, Aerial Photograph of the Project Site**).

The TBBW Company, LP (TBBW, Applicant) is the current master tenant, and original developer, of Parcel 17. Parcel 17 includes 12.5 acres of waterside amenities which contain the Proposed Project and an adjacent 6-acre landside element which contains coastal-related and supportive harbor commercial land uses, marina parking, landscaping, and pedestrian walkways. This Project is limited to the 12.5 waterside acres of Parcel 17 which comprise the Project Site. The Project Site is bound by the Holiday Inn Express & Suites to the east, the Portside Ventura Marina to the west, and the Safe Harbor Ventura Isle to the south.¹ Regional access to the Project Site is provided by the 101 Freeway to the west.

Background

The District is an Independent Special District within the City of Ventura. Special Districts are independent, special-purpose governmental units that exist separately from local governments such as a city or county, with substantial administrative and fiscal independence. On April 15, 1952, the Board of Supervisors of Ventura County ordered the formation of the District pursuant to the Harbors and Navigation Code of the State of California and by two Ventura County Resolutions. The District was organized for the purpose of acquiring, constructing, and operating a commercial and recreational boat harbor within the City of Ventura. The District's legal boundaries encompass portions of the City of Ventura as well as some small areas outside the City limits.²

The District is the owner/operator of the Ventura Harbor (Harbor). Harbor operations on the water include recreational boating, recreational fishing, commercial fishing, and vessel charters including a ferry service

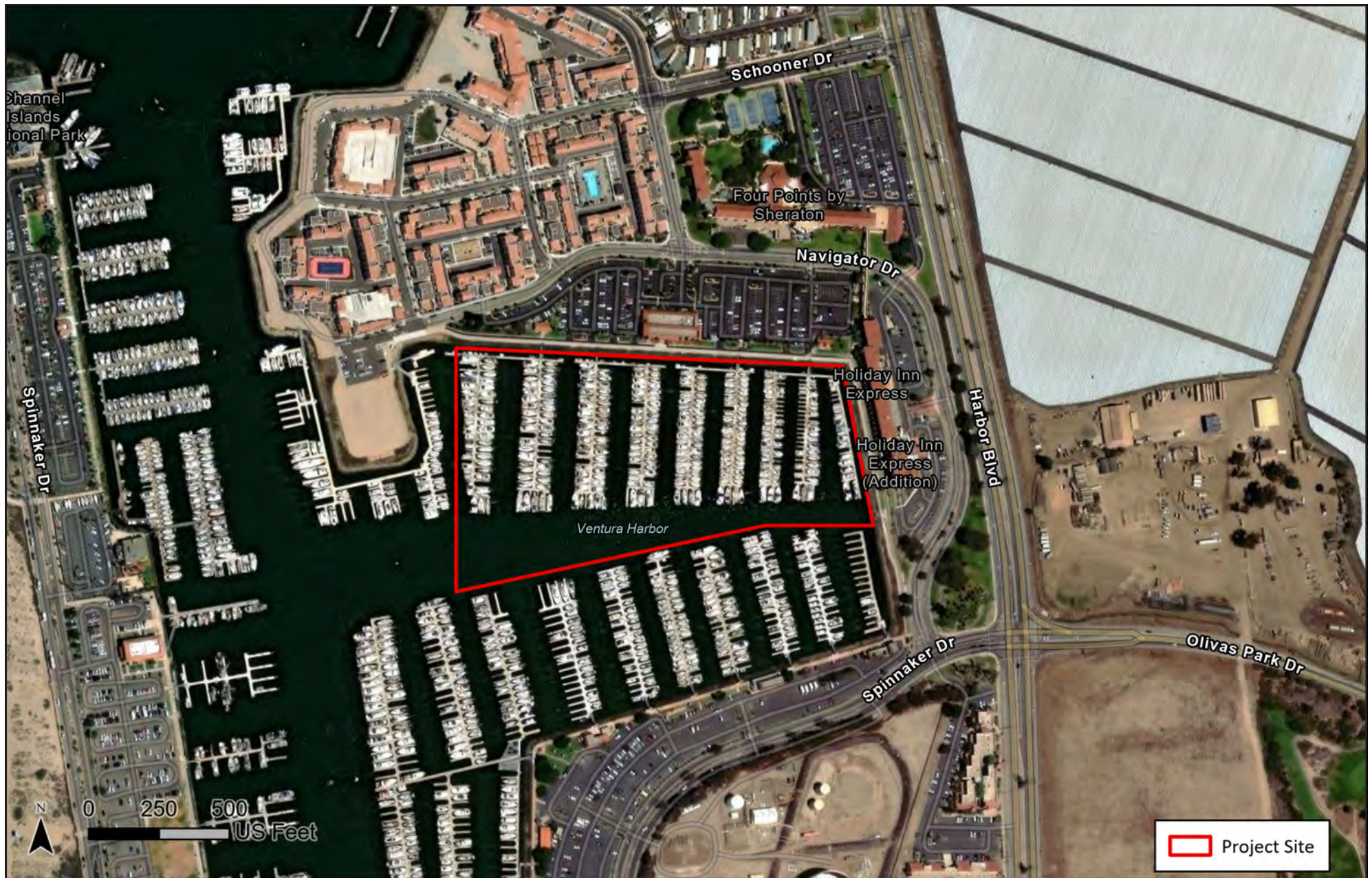
¹ Ventura Port District, Satellite Map, available at: <https://venturaharbor.com/map/>, accessed March 21, 2025.

² Ventura Port District, Sphere of Influence Map, available at: <https://venturaharbor.com/wp-content/uploads/2021/11/Sphere-of-Influence-Map.pdf>, accessed April 18, 2025.

to the Channel Islands National Park. With the exception of a 2.74-acre site owned by the National Park Service, the 274-acre Harbor (152 acres of land and 122 acres of water area) is owned and operated by the District.



SOURCE: Esri, 2025



SOURCE: Esri, 2025

Existing Conditions

Ventura Harbor Parcel 17 includes 12.5 acres of waterside amenities which contain the Ventura Harbor West Marina. The adjacent 6-acre landside element contains coastal-related and supportive harbor commercial land uses, marina parking, landscaping, and pedestrian walkways. Hotel uses are located to the north, docks are located to the south and east, and harbor commercial uses are located on the same parcel west of the Project Site.³ Vehicular access to the Project Site is provided via E Harbor Boulevard to the north. Regional access to the Project Site is provided by the 101 Freeway to the west.

The site is currently in use as a full-service marina (Ventura West Marina) within the Ventura Harbor. The Ventura West Marina includes electric and water at each of its slips, dock boxes/carts and storage lockers. As many as 50% of the Ventura West Marina boat slips operate with liveaboard uses, although current estimates are approximately 40 percent.⁴ The Applicant is proposing to relocate liveaboard residents during construction as feasible. The existing docks within the Project Site provide a total of 387 boat slips (spaces), ranging between 20 to 80 feet in length.⁵

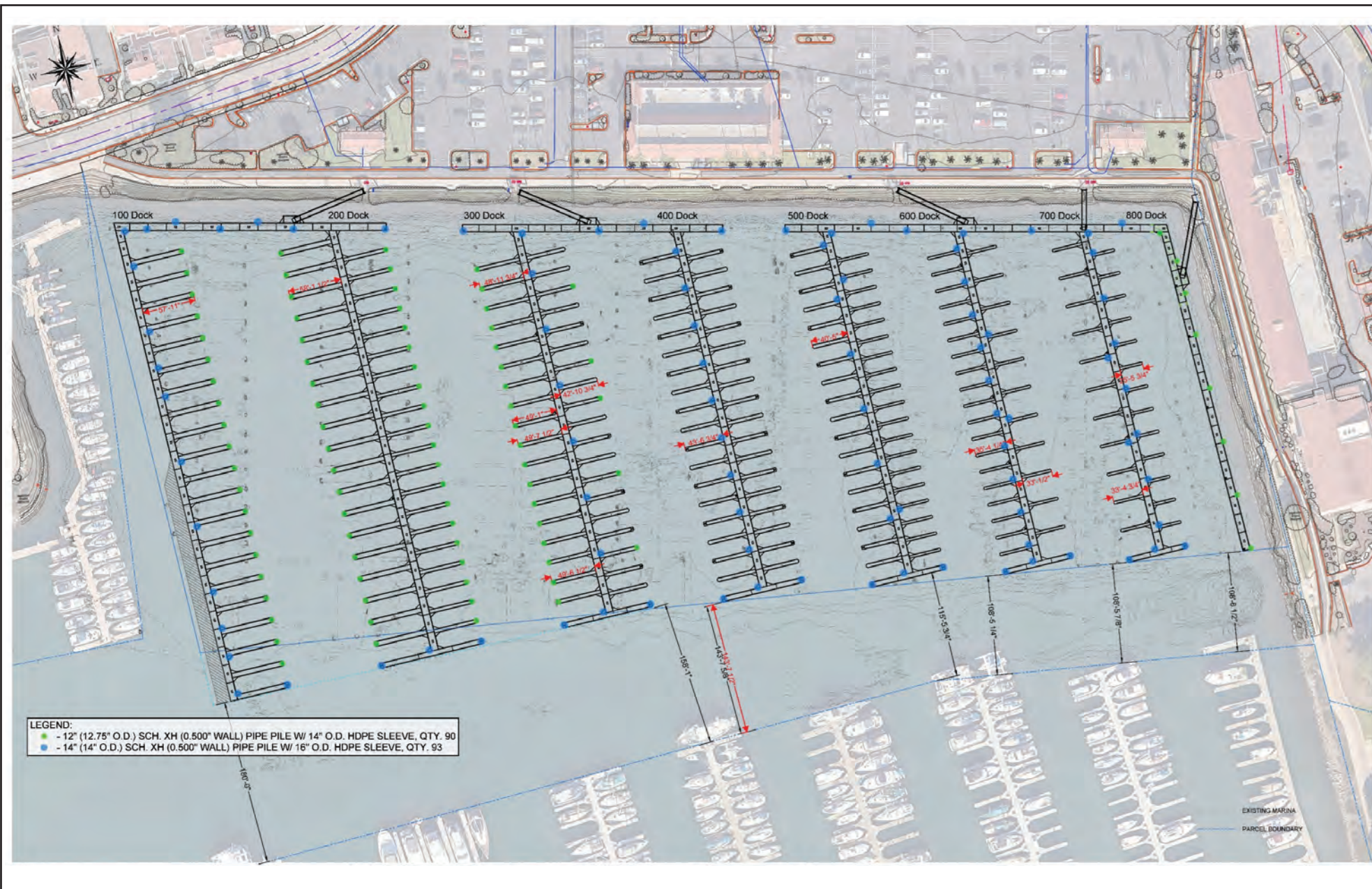
Project Features and Operations

The Project includes redevelopment of the waterside 12.5 acres of the Parcel 17 leasehold(s). The Project includes the replacement of the existing aged docks and pilings with new docks and pilings. The Project also includes the replacement and upgrade of the existing facilities. Waterside improvements would be located within the existing waterside portion of Parcel 17. The new slip layout will largely retain the current dock footprint. The Project slip layout is shown in **Figure 3 Proposed Ventura Marina West Slip Layout**. As part of the proposed Project, the Applicant will remove the existing 45-year-old dock system including all floating elements, submerged piles, and related infrastructure. and install new, environmentally sustainable dock systems with a marina slip layout that allows a more diverse range of vessel sizes. The existing marina channels will be enhanced to improve navigational flow and to accommodate larger vessels. Overall, average slip size will increase by approximately one foot. The total number of slips will change from 387 to 379 and thereby allow for more public areas within the marina including launching of non-motorized vessels such as kayaks and stand-up paddleboards and a location where a future water taxi could embark passengers.

³ Ventura Port District, Satellite Map, available at: <https://venturaharbor.com/map/>, accessed March 21, 2025.

⁴ Marina West, personal communication via email May 1, 2025

⁵ Ventura West Marina, Marina Info Package, available at: <https://venturawestmarina.com/wp-content/uploads/2025/03/Ventura-West-Marina-Pamphlet-2.pdf>



SOURCE: Esri, 2025

FIGURE 3

Additional Project features include:

- Add an ADA-accessible gangway to the dock system.
- Add electrical charging infrastructure to support electric powered watercraft.
- Provide individual wastewater pump out systems for medium to large vessels at their slips and a public-facing wastewater pump out for other vessels in and out of the marina.

The current marina configuration has approximately 302 piles. It is estimated that all existing piles would be removed, and new piles would be installed. All new piles will be at or above the District's minimum pile elevation which was set in 2014 to address sea level rise and tsunami concerns.

The existing and proposed slip layouts are shown in **Figure 3** and **Figure 4 Existing Ventura Marina West Slip Layout**. **Figure 3** shows the channel enhancements to accommodate the new slip layout. These enhancements would improve navigational flow and accommodate larger vessels.

No dredging is planned as part of the proposed Project. Preliminary civil engineering reports indicate that the adjacent revetments⁶ are structurally sound and in stable condition. Existing uses (i.e., boat docks) will be maintained, no new uses are proposed as part of the Project.

Public Access Improvements

The Project includes a proposed reduction in the total number of slips on Parcel 17 by eight. The existing marina slip layout has docks running perpendicular to the landside promenade as shown in **Figure 4** and the proposed marina slip layout would be angled as shown in **Figure 3**. This change is an optimization aimed at enhancing boater access while supporting coastal and recreational access.

2. SURROUNDING LAND USES

Per the *City of Ventura General Plan* (2005) the Project Site is designated as Commerce and is zoned by the City as Harbor Commercial. Surrounding land uses mainly include commercial and open space. Land uses located north, east, and south of the Project Site are designated by the *General Plan* as Commerce and zoned as Harbor Commercial. Land uses south of the Project Site, across from Spinnaker Drive are designated by the *General Plan* as Park and Open Spaces and zoned by the City as Parks.

⁶ Revetments are sloping structures built on embankments or shorelines, along the base of cliffs, or in front of sea walls to absorb and dissipate the energy of waves to reduce coastal erosion.

3. DISCRETIONARY APPROVAL AUTHORITY

The following agencies and other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement) would be involved in discretionary approvals and permits required for various project components.

National Oceanic and Atmospheric Administration

The National Oceanic Atmospheric Administration (NOAA) reviews and circulates the completed Eelgrass Habitat Survey and Essential Fish Habitat Survey to the National Marine Fisheries Services, the Los Angeles Regional Water Quality Control Board, and other interested parties.

United States Army Corps of Engineers

The United States Army Corps of Engineers' (USACE) jurisdiction relates to the permitting for waterside improvements. The USACE circulates the completed Essential Fish Habitat (EFH) Assessment to the National Marine Fisheries Services and other interested parties.

National Marine Fisheries Services

The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires the completion of an EFH Assessment when a federally permitted action could adversely affect a designated EFH area. The EFH is submitted to the USACE, who then submits the EFH to the National Marine Fisheries Services (NMFS).

California Coastal Commission

The California Coastal Commission has jurisdiction over waterside improvements in the Harbor. A Biological Assessment is necessary along with the Coastal Development Permit (CDP) application. However, as the Project would take place on floating docks, an EFH Assessment with the appropriate biological resource information will suffice. These studies will be required prior to the commencement of construction activities.

Los Angeles Regional Water Quality Control Board

As part of the waterside improvements, permitting is required under the Los Angeles Regional Water Quality Control Board (LARWQCB) for waste discharge during construction.

4. PROJECT CONSTRUCTION SEQUENCING

For the purpose of analyzing impacts associated with construction activities, this analysis assumes demolition and construction will occur in sequential phases for over a period of 12 months. This will facilitate the construction of the new slips while maintaining an operational marina to the maximum extent possible during construction, which is an anticipated benefit to the boating community relying on this marina. Construction activities associated with the Project would involve: (1) demolition and removal (2) installation of new piles, and (3) installation of new floating dock systems. This analysis assumes the Project will be fully operational in 2026. It should be noted that the construction assumptions identified herein are conceptual and are intended to identify worst-case daily impacts. If the Project is built out more slowly and at later dates than those assumed herein, the daily construction intensity would be reduced, and associated daily impacts would be generally reduced, however impacts would be over a longer period of time.

- 1) Demolition and removal of existing docks would occur for approximately two weeks. During this phase boats docked at Ventura West Marina will be relocated in advance of dock demolition with a focus on relocating boats within the Ventura West Marina. During this phase, demolition of existing floating and above ground structures and removal of in-water features would occur including piles and related infrastructure. Because there are numerous vessels occupied as long-term residences (i.e., live aboard residences) located within proximity to proposed construction activities, the Project Applicant will coordinate the temporary relocation of live aboard residences to minimize construction-related noise disturbances as feasible. There are an estimated 302 piles currently onsite including 14 12-inch round steel pipe piles and 285 12-inch square concrete piles. Piles will be removed via pulling with a crane, with jetting as necessary to dislodge piles. An estimated 90,400 square feet of floating docks will ultimately be removed once Marinas A through D have been rebuilt. All construction debris will be processed for recycling, reuse or otherwise removed from the site via crane and properly disposed of. Construction and demolition debris will be taken to a local landfill for disposal.
- 2) Installation of new piles would occur for approximately 6 months and would include, a total of 90 new 12- and 293 new 14-inch round steel piles with HDPE sleeves to be installed to serve as the foundation for the new marina. New piles will be delivered on flat-bed trucks and transferred via crane to the floating barge. The proposed installation method will be vibratory with the need to use a diesel impact hammer to reach final pile tip elevation. During this phase new utility connections will also be installed in preparation for connection to the new floating dock system.
- 3) Installation of new floating dock systems would occur over 6 months and would include the new floating docks and related infrastructure installation section by section. The total new square

footage of the floating docks will be approximately 89,000 sf. Utility connections will be made, and all finishes will be completed, enabling the entire redeveloped Ventura West Marina to fully reopen.

The construction staging and material storage area would be located within the existing adjacent parking lot on Parcel 17. The construction staging area would be fenced and would encompass approximately 4,000 square feet for staging, storage plus construction parking for 10 vehicles. The staging area has been designed to accommodate three, 20-foot storage containers and to provide a laydown area for construction materials, an area to stage flatbed trucks and mobilize a crane when offloading the new floating dock sections and placing them in the water.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would potentially be affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | |
|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Biological Resources |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology and Soils | <input type="checkbox"/> Greenhouse Gas Emissions |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance | |

IV. DETERMINATION

On the basis of the initial evaluation that follows:

- ☐ I find that the proposed Project WOULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the Project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made that would avoid or reduce any potential significant effects to a less than significant level. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment. An ENVIRONMENTAL IMPACT REPORT will be prepared.



Brian Pendleton
Ventura Port District General Manager

5/30/25

Date

V. EVALUATION OF ENVIRONMENTAL IMPACTS

During the completion of the environmental evaluation, the Lead Agency relied on the following categories of impacts, noted as column headings in the Initial Study checklist. All impact determinations are explained and supported by the information sources cited.

- A) “Potentially Significant Impact” is appropriate if there is substantial evidence that the Project’s effect may be significant. If there are one or more “Potentially Significant Impacts” for which effective mitigation may not be possible, a Project EIR will be prepared.
- B) “Less Than Significant With Mitigation Incorporated” applies where the incorporation of Project-specific mitigation would reduce an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” All mitigation measures must be described, including a brief explanation of how the measures would reduce the effect to a less than significant level.
- C) “Less than Significant Impact” applies where the Project would not result in a significant effect (i.e., the Project impact would be less than significant without the need to incorporate mitigation).
- D) “No Impact” applies where the Project would not result in any impact in the category, or the category does not apply. This may be because the impact category does not apply to the proposed Project (for instance, the Project Site is not within a surface fault rupture hazard zone), or because of other Project-specific factors.

1. AESTHETICS

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Except as provided in Public Resources Code section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

California State Scenic Highways Program

The California State Scenic Highways Program was designed to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment and identify highways that are designated as “Official” state scenic highways or “Eligible” to be a state scenic highway.

General Plan Policies

The City’s *General Plan* policies applicable to aesthetics include, but are not limited to, the following:

Policy 3A: Sustain and complement cherished community characteristics.

Policy 4D: Protect views along scenic routes.

Municipal Code

The *City of San Buenaventura (Ventura) Municipal Code (Municipal Code)* provides the regulatory framework that is associated with the protection of the City's visual character. *Municipal Code* Section 10.650.150, (Special Noise Sources) limits construction activities of new structures to the hours between 7.00 a.m. and 8:00 p.m.

Existing Setting

Scenic vistas identified in the *Ventura County General Plan (General Plan)* include the rolling hills of the Transverse Range. Additional scenic resources identified in the *City of Ventura General Plan Environmental Impact Report (General Plan EIR)* include the City's existing coastline, Ventura Harbor, the Channel Islands, rivers within City boundaries (i.e., the Ventura River and Santa Clara River), and the agricultural uses within the eastern and western portions of the City. The Project Site is located within the Harbor, and the coastline is located west. The Channel Islands are not visible from the Project Site, nor are there any rivers or areas of agricultural uses that are visible due to the distance of the Project Site and existing trees and structures. Harbor Drive and Olivas Park Drive are designated as Scenic Routes; however, due to its distance and intervening objects (i.e., trees, structures, and boats within the Ventura Harbor), the Project Site is not visible from either Scenic Route. While Harbor Drive and Olivas Park Drive are designated as 'scenic routes' in the *Ventura General Plan*, the Project Site is not located near any designated state scenic highways, as designated by Caltrans.⁷

The surrounding public roadways include Spinnaker Drive along South Jetty Beach. Existing conditions on the Project Site include a surface parking lot, the docks, and facilities that support the docks (i.e., existing gangways, ramps, dock piles). Additionally, the Project Site is currently developed and, therefore, generates nighttime lighting on-site in the form of security lighting and walkway lighting.

Discussion of Potential Project Impacts

a) *Less than Significant Impact.*

A scenic vista is generally defined as a view of undisturbed natural characteristics exhibiting a unique feature that comprises an important or dominant portion of the viewshed. Although scenic vistas are identified at the discretion of its jurisdiction, common examples of scenic vistas include open hillsides, mountain ranges, rivers/streambeds, and large bodies of water. Scenic vistas in the vicinity of the

⁷ California Department of Transportation, *California State Scenic Highway System Map*, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed March 31, 2025.

Project Site include expansive water views available from Spinnaker Drive. Waterside improvements would be located within the existing waterside portion of Parcel 17 and would largely retain the current dock footprint. As a result, there would be no change in available views as a result of the Project. As such, motorists travelling along Spinnaker Drive would not experience a significant change of views from existing conditions to the Project.

Due to existing intervening structures, trees, landscaping, and boats surrounding the Project Site, the Project would not substantially impede the existing views of scenic vistas or other scenic resources. Furthermore, the Project would not alter the existing views for motorists travelling along the City's designated scenic routes, such as Spinnaker Drive. Therefore, the Project would not have a substantially adverse effect on scenic resources. Less than significant impacts would occur.

- b) **No Impact.** There are no designated or eligible State scenic highways located near the Project Site or within its immediate vicinity. The nearest designated, or eligible for designation, State scenic highway is US-101, located 1.99 miles northeast of the Project Site.⁸ Due to this distance, as well as the topography and intervening structures (i.e., buildings, boats), the US-101 is not visible from the Project Site, nor is the Project Site visible from US-101. Therefore, no impact would occur.
- c) **Less than Significant Impact.** The Project would be similar in appearance to existing conditions and would not alter the visual character of the Project Site. Construction activities related to the Project would include excavation and grading on-site for the installation of the proposed water lateral connection. However, these activities would occur for a nominal amount of time and would cease upon completion of the Project. Therefore, less than significant impacts would occur.
- d) **Less than Significant Impact.** The Project is limited to dock replacements and upgrades. As stated above, the Project would remain similar in appearance to the existing conditions. Buildout of the Project would not introduce new sources of light or glare on-site.

Construction activities related to the Project may occur during the evening hours. Thus, the Project could introduce nighttime lighting that would impact light-sensitive uses within existing liveaboard slips within the Ventura West Marina. However, construction activities would occur for a maximum period of 48 weeks. Additionally, the Project would adhere to the *City Municipal Code* 10.650.150, Special Noise Sources, and limit construction activities to occur between the hours of 7:00 a.m. and 8:00 p.m. Nighttime construction is not anticipated. Adherence to local regulations would reduce short-

⁸ California Department of Transportation, *California State Scenic Highway System Map*, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed March 31, 2025.

term impacts regarding light and glare to less than significant levels. Impacts would be less than significant.

2. AGRICULTURE AND FORESTRY RESOURCES

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is designated in accordance with soil quality and irrigation status. The highest quality land is identified as Prime Farmland.

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments.

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources. Programs such as CAL FIRE's Fire and Resource Assessment Program and are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.

Existing Setting

The majority of Project Site is currently developed with marina uses and is zoned Harbor Commercial by the City. The Project Site and its surrounding uses are designated by the General Plan as Commerce. There are no agricultural or forest lands on or within the vicinity of the Project Site.

Discussion of Potential Project Impacts

a) No Impact. According to the California Department of Conservation's California Important Farmland Finder, the Project Site is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.⁹ The Project would include water-side improvements to the existing docks located on Parcel 17. Therefore, the Project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No impact would occur.

b-e) No Impact. The Project would occur within the existing Ventura Harbor, and within the developed Ventura West Marina property. As stated above, the Project Site is currently zoned as Harbor Commercial. The Project Site is not zoned for agricultural uses and/or forestland/timberland and is limited to the uses listed above. Therefore, the Project would not convert farmland and/or forest land/timberland to non-agricultural or non-forest land uses. No impact would occur.

⁹ California Department of Conservation, *California Important Farmland Finder*, <https://maps.conservation.ca.gov/dlrp/ciff/>, accessed March 31, 2025.

3. AIR QUALITY

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

California Air Resources Board

The California Air Resources Board (CARB) is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, CARB conducts research, sets California Ambient Air Quality Standards, compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB's 35 Air Districts are responsible for regional air quality planning, monitoring, and stationary source and facility permitting. The Project Site is located within the South Central Coast Air Basin (Basin).

Ventura County Air Pollution Control District

The Ventura County Air Pollution Control District (VCAPCD) is the air pollution control agency for Ventura County and is designated by state law to protect the people and the environment of Ventura County from the harmful effects of air pollution. In conjunction with the Southern California Association of Governments (SCAG), the VCAPCD is responsible for formulating and implementing air pollution control strategies. The VCAPCD's most recent Air Quality Management Plan (AQMP) was adopted in 2007

and establishes a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the Basin, which is in non-attainment for 1-hour ozone (O₃), particulate matter (PM₁₀) state standard, as well as the federal 8-hour ozone standard. The AQMP also addresses the requirements set forth in the state and federal Clean Air Acts.

A project may be inconsistent with the AQMP if it would generate population exceeding the forecasts used in the development of the AQMP. This is attributed with increased vehicle use, energy consumption, and associated air pollutant emissions.

Existing Setting

The majority of Project Site is currently developed and is zoned Harbor Commercial by the City. The Project Site and its surrounding uses are designated by the *General Plan* as Commerce.

The closest and most representative air quality monitoring station for the Project site is the El-Rio Mesa School #2 monitoring station approximately 6.6 miles to the east, which monitors 1-hour,

8-hour ozone, PM₁₀, PM_{2.5} and NO₂. Measurements at the El-Rio Mesa School #2 monitoring station show one exceedance of the federal PM_{2.5} standard and 12 exceedances of the state PM_{2.5} standard in 2021, 3 exceedances of the state PM_{2.5} standard in 2022, and 7 exceedances of the state PM_{2.5} standard in 2023. No other air quality standards were exceeded at the El-Rio Mesa School #2 monitoring station between 2021 and 2023.⁹ **Table 1, Air Quality Data Summary (2021 – 2023)**, displays the air quality monitoring data summary for the three-year period (2021 through 2023).

Table 1
Air Quality Data Summary (2021 – 2023)

Pollutant	Monitoring Data by Year			
	Standard	2021	2022	2023
Ozone (O₃)				
Highest 1 Hour Average (ppm)	0.09	0.073	0.077	0.071
Highest 8 Hour Average (ppm)	0.070	0.067	0.063	0.059
Particulate Matter (PM₁₀)				
Highest 24-Hour Average (µg/m ³)	50	125.0	57.5	104.0
State Annual Average (µg/m ³)	20	24.7	23.1	20.4
Particulate Matter (PM_{2.5})				
Highest 24-Hour Average (µg/m ³)	35	31.7	18.5	24.5
State Annual Average (µg/m ³)	12	*	6.5	*
Nitrogen Dioxide (NO₂)				
Highest 1 Hour Average (ppm)	0.25	0.033	0.032	0.027
State Annual Average (ppm)	0.05	0.004	0.004	0.003

Notes:

µg/m³ = micrograms per cubic meter, ppm = parts per million

* = insufficient data

Source: CARB, iADAM: Air Quality Data Statistics, <https://www.arb.ca.gov/adam>, Accessed December 11, 2024.

Land uses such as schools, children's daycare centers, hospitals, and convalescent homes are more sensitive than the general public to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress. Persons engaged in strenuous work or exercise also have increased sensitivity to poor air quality. CARB has identified the following people as most likely to be affected by air pollution: children less than 14 years of age, the elderly over 65 years of age, athletes, and those with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive population groups.

Residential areas are considered more sensitive to air quality conditions than commercial and industrial areas because people generally spend longer periods of time at their residences, resulting in greater exposure to ambient air quality conditions. Recreational uses are also considered sensitive, due to the greater exposure to ambient air quality conditions and because the presence of pollution detracts from the recreational experience. Workers are not considered sensitive receptors because all employers must follow regulations set forth by the Occupation Safety and Health Administration to ensure the health and well-being of their employees. The nearest noise-sensitive receptors to the Project site are apartments north of the Project site along Navigator Drive. The nearest residence is located approximately 70 feet north of the water and the nearest marina dock.

Discussion of Potential Project Impacts

- a) *Less than significant impact.* Projects that are consistent with existing general plan documents, which are used to develop air emissions budgets for the purpose of air quality planning and attainment demonstrations, would be consistent with the VCAPCD's air quality plans, including the 2022 AQMP and prior AQMPs, which contain strategies for the region to attain and maintain the ambient air quality standards. Provided a project proposes the same or less development as accounted for in the general plan document, and provided the project would comply with applicable Rules and Regulations adopted by the VCAPCD, the project would not conflict with or obstruct implementation of applicable air quality plans, including the 2022 AQMP.

The Project would consist of temporary construction activities improving the waterside components of the marina. The Project would not include new development or increase population, nor would it be inconsistent with the General Plan land use designation or the zoning designation of the Project site.

As demonstrated in section b below, the Project would result in short-term construction emissions that would be less than the VCAPCD CEQA thresholds of significance. Therefore, the Project would not increase the frequency or severity of an air quality standards violation or cause a new violation.

Therefore, the Project would be consistent with the land use planning assumptions within the AQMP. Furthermore, as noted in this analysis, the Project would not exceed VCAPCD significance thresholds and would be required to comply with applicable VCAPCD Rules and Regulations. Therefore, the Project would result in a less-than-significant impact.

- b) *Less than significant impact.* An Air Quality and Greenhouse Gas study was prepared by RCH Group for the Project. The full report is provided in Appendix A and is summarized herein.

Construction

Construction-related activities are temporary, finite sources of air emissions. Sources of Project-related construction air emissions would include:

- Exhaust from construction equipment and worker automobiles and haul trucks.
- Fugitive dust (PM10 and PM2.5) vehicle and equipment travel on paved and unpaved surfaces.

Table 2 provides a summary of the unmitigated ROG and NOx emission estimates for construction of the Project, as calculated with the CalEEMod and the Harbor Craft, Dredge, and Barge Emission Factor Calculator (refer to **Appendix A** for detailed emissions outputs). Given that the construction activities take place in the water and the Project would not include site preparation or grading activities, PM10

and PM_{2.5} emissions would be negligible (less than one pound per day). As shown in **Table 2**, construction emissions would be below the VCAPCD significance thresholds, and the Project would result in a less-than-significant impact.

Table 2
Estimated Unmitigated Maximum Daily Construction Emissions

Emission Source	ROG	NO _x
lbs/day		
Summer Construction	1.34	8.25
Winter Construction	1.35	8.57
Maximum Daily Emissions	1.35	8.38
Significance Criteria	25	25
Significant?	No	No

Source: RCH Group, Ventura West Marina Redevelopment Project Air Quality & Greenhouse Gas Emissions Technical Report, May 2025. See Appendix A.

Operation

While the Project would replace the existing aging slips with new modern slips, there would be no change in overall operational activities. The total number of boat slips would be reduced by eight slips which would not be a material change in the number of slips or boater access compared to the existing condition. Operation of the Project would, therefore, not generate emissions exceeding VCAPCD thresholds. Therefore, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is currently in non-attainment. Impacts would be less than significant.

- c) **Less than significant impact.** Project construction activities would result in temporary emissions of Diesel Particulate Matter (DPM) from the use of diesel-powered construction equipment and haul trucks. DPM is a Toxic Air Contaminant (TAC), with both carcinogenic and non-carcinogenic health effects. Typically, health risks are estimated based on a lifetime exposure period of 30 years. Because exhaust emissions associated with construction activities of the Project would be short-term in nature and only two pieces of diesel construction equipment is required, it is anticipated that exposure to construction related DPM would not result in an elevated health risk. On land diesel construction equipment and operation thereof would be regulated per CARB's In-Use Off- Road Diesel Vehicle Regulation, which is intended to reduce emissions associated with off-road diesel vehicles and

equipment, including DPM. Harbor craft would be regulated per CARB's Commercial Harbor Craft (CHC) regulation, which is intended to reduce DPM and other pollutants. On-road haul trucks would be regulated per the State's Truck and Bus Regulation. Project construction would also be required to comply with all applicable VCAPCD rules and regulations. Therefore, the Project would result in a less than significant impact.

- d) *Less than significant impact.* During construction, equipment exhaust may generate minor odors; however, due to the temporary nature of construction, odors associated with Project construction would not be significant. The Project would not include any land uses typically associated with unpleasant odors and local nuisances (e.g., rendering facilities and dry cleaners). VCAPCD regulations and complaint programs that govern nuisances would regulate any occasional odors associated with on-site uses. As a result, any odor impacts from the Project would be considered less than significant.

4. BIOLOGICAL RESOURCES

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any applicable policies protecting biological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other applicable habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

State

Special Status Species

Special-status species are those plants and animals that have been formally listed or proposed for listing as Endangered, Threatened, or are candidates for such listing under the federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA). Listed species are afforded legal protection under the ESA and CESA. Species that meet the definition of Rare or Endangered under the CEQA Section 15380 are also considered special-status species.

Animals on the California Department of Fish and Wildlife's (CDFW) list of "species of special concern" (most of which are species whose breeding populations in California may face extirpation if current population trends continue) meet this definition and are typically provided management consideration through the CEQA process, although they are not legally protected under the ESA or CESA. Additionally, the CDFW includes some animal species that are not assigned any of the other status designations in the California Natural Diversity Database (CNDDDB) "Special-Status Wildlife Species" list.

The CDFW considers the taxa on this list to be those of greatest conservation need, regardless of their legal or protection status. Plants listed as rare under the California Native Plant Protection Act (CNPPA) or on the California Native Plant Society (CNPS) lists are also treated as special-status species. In general, CDFW considers plant species on List 1 (List 1A [Plants Presumed Extinct in California] and List 1B [Plants Rare, Threatened, or Endangered in California and Elsewhere]), or List 2 (Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere) of the CNPS Inventory of Rare and Endangered Vascular Plants of California as qualifying for legal protection under this CEQA provision. In addition, species of vascular plants, bryophytes, and lichens listed as having special-status by CDFW are considered special-status plant species.

Raptors (e.g., eagles, hawks, and owls) and their nests are protected under both federal and state laws and regulations. The federal Migratory Bird Treaty Act (MBTA) of 1918 and California Fish & Game Code (CFGF) Section 3513 prohibit killing, possessing, or trading migratory birds except in accordance with regulation prescribed by the Secretary of the Interior. Birds of prey are protected in California under CFGF Section 3503.5. Section 3503.5 states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except otherwise provided by this code or any regulation adopted pursuant thereto." In addition, fully protected species under the CFGF Section 3511 (birds), Section 4700 (mammals), Section 5515 (fish), and Section 5050 (reptiles and amphibians) are also considered special-status animal species. Species with no formal special-status designation but thought by experts to be rare or in serious decline are also considered special-status animal species.¹⁰

¹⁰ State of California Natural Resources Agency Department of Fish and Wildlife, *Biogeographic Data Branch California Natural Diversity Database (CNDDDB), Special Animals Species List*, October 2022.

Local

City of Ventura Municipal Code

Chapter 20.150 (Street Trees) of the City's *Municipal Code* details the City's policies regarding tree protection and removal of publicly owned street trees. Chapter 20.150 also details the permitting process for tree removal and replacement of street trees.

Existing Setting

A Marine Biological Resources Report and Essential Fish Habitat Assessment was conducted at the Project Site. As shown in **Marine Biological Resources Report and Essential Fish Habitat Assessment (Appendix B)**, the majority of the Project Site consists of unvegetated soft-bottom habitat. Other habitats identified include riprap, dock pilings, and dock floats. Notable fauna observed includes 23 invertebrate species, 7 marine vertebrate species, 2 marine mammals, 4 avian species, and 7 species of marine algae (See **Table 3, List of Species Observed During Marine Biological Assessment Survey** below.). The Project Site was negative for eelgrass, no eelgrass was observed by the side-scan sonar survey or the diver survey.

Table 3
List Of Species Observed During Marine Biological Assessment Survey

Common Name	Scientific Name	Conservation Status
Marine Algae		
Articulated coralline algae	<i>Corallina</i> sp.	Not Listed
Brown algae	<i>Dictyota flabellata</i>	Not Listed
Green cushion pin algae	<i>Cladophora columbiana</i>	Not Listed
Japanese wireweed	<i>Sargassum muticum</i>	Non-Native
Red filamentous algae	<i>Polysiphonia nigrescens</i>	Not Listed
Sea lettuce	<i>Ulva</i> sp.	Not Listed
Wakame	<i>Undaria pinnatifida</i>	Non-Native
Marine Invertebrates		
Acorn barnacle	<i>Balanus glandula</i>	Not Listed
Anemone	<i>Diadumene</i> spp.	Not Listed
Bay mussel	<i>Mytilus californianus</i>	Not Listed
Bryozoan	<i>Amathia verticillata</i>	Non-Native
California aglaja	<i>Navanax inermis</i>	Not Listed
Clubbed tunicate	<i>Styela clava</i>	Not Listed
Elephant ear sponge	<i>Haliclona edaphus</i>	Not Listed
Encrusting bryozoan	<i>Reginella hippocrepis</i>	Not Listed
Hydroids	<i>Aglaophenia</i> sp.	Not Listed
Limpets	<i>Lottia</i> spp.	Not Listed

Mulliner's doris	<i>Peltodoris mullineri</i>	Not Listed
Orange sponge	<i>Antho lambei</i>	Not Listed
Orange puffball sponge	<i>Tethya aurantium</i>	Not Listed
Pacific oyster	<i>Crossostrea gigas</i>	Non-Native
Pleated sea squirt	<i>Styela plicata</i>	Not Listed
Red Chip Bryozoan	<i>Watersipora subtorquata</i>	Non-Native
Scallop	Pectinidae	Not Listed
Solitary tunicate	<i>Ciona Robusta</i>	Not Listed
Sponges	<i>Haliclona</i> spp.	Not Listed
Stalked tunicate	<i>Styela montereyensis</i>	Not Listed
Tube worm	Sabellidae	Not Listed
Tube worm	Spirorbidae	Not Listed
Yellow sponge	<i>Polymastia pachymastia</i>	Not Listed
Marine Vertebrates		
Bat Ray	<i>Myliobatis californica</i>	Least Concern
Bay Pipefish	<i>Syngnathus californiensis</i>	Least Concern
Jacksmelt Silverside	<i>Antherinopsis californiensis</i>	Least Concern
Opaleye	<i>Girella nigricans</i>	Least Concern
Round ray	<i>Urobatis halleri</i>	Least Concern
Topsmelt Silverside	<i>Atherinops affinis</i>	Least Concern
Yellowfin Goby	<i>Acanthogobias flavimanus</i>	Least Concern
Marine Mammals		
Bottlenose dolphin	<u><i>Tursiops truncatus</i></u>	Least Concern
California sea lion	<u><i>Zalophus californianus</i></u>	Least Concern
Seabirds		
Great blue heron	Great blue heron	Least Concern
Snowy Egret	Snowy Egret	Least Concern
Double-crested cormorant	Double-crested cormorant	Least Concern

In addition to accounting for all marine species identified during the field survey, an exhaustive assessment was also conducted to determine other sensitive species holding special or protected status that may occur within, or adjacent to, the designated Project Site. Based on species lists provided by USFWS and NMFS, an analysis of the range and habitat preferences of sensitive species that have a potential to occur within or near the Project site was completed.

Protected, rare, threatened, or endangered species that may occur within this region include California brown pelican (Protected under MBTA and California Fish and Game Code). Mammals protected under the Marine Mammal Protection Act and likely to occur in Ventura Harbor include California sea lion (*Zalophus californianus*), common bottlenose dolphin (*Tursiops truncatus*), and harbor seal (*Phoca vitulina*).

Two sensitive marine mammal species were observed within the Project site during the survey, common bottlenose dolphin and California sea lion. Two juvenile bottlenose dolphins were observed swimming in the fairways and beneath the slips of the marina. Additionally, marina residents reported frequent sightings of these dolphins in the weeks surrounding the survey. While dolphin presence is not typical in highly modified shoreline environments, their documented occurrences suggest they are likely to be present in the area. California sea lions were observed resting on docks and docked vessels. As they are commonly seen within Ventura Harbor, their confirmed presence in the marina further supports their likely occurrence.

Harbor seals are also considered possible within the Project site due to the proximity of known rookeries in the Channel Islands (to the west) and Carpinteria (to the north). Given that harbor seals frequently utilize harbors, their presence in the area is plausible. Other dolphin species may also occur, as they have the potential to travel through the area. However, whale species are not expected to enter the Project site. Nonetheless, whales and dolphins have a low probability of occurring within the site itself, they may be present within acoustic zones of influence, particularly during pile driving activities.

The closest California Least Tern (*Sternula antillarum browni*, CLT) nesting site is at Ormond Beach 9.83 mi (15.82 km) south of the Project site. Typical foraging habitat is within two miles of colony sites in relatively shallow nearshore ocean waters in the vicinity of major river mouths so there is a low likelihood for California least terns to forage within and near the Project site. Given the distance of the Project site from the Ormond Beach nesting area, the likelihood of CLTs foraging within or near the marina is low, despite the presence of forage fish such as jacksmelt and topsmelt.

California brown pelicans were delisted from the federal list of endangered and threatened wildlife in 2009, however this species is still considered to be sensitive. These birds nest in the nearby Channel Islands and frequently loaf and forage in marina habitats. Thus, there is potential for them to be observed on and over waters within the Project site. Other piscivorous avian species were observed within the Project site including great blue heron (*Ardea herodias*), snowy egret (*Ardea alba*), and double-crested cormorant (*Nannopterum auritum*).

The shoreline region between Santa Monica Bay and Point Conception has been designated as a low-conservation-value area for green sea turtles (*Chelonia mydas*, GST).¹¹ GST occurrences are also unlikely

¹¹ This area has been classified primarily as a foraging and resting zone under the critical habitat assessment currently under review (NMFS 2023). Few sightings and strandings have been recorded in this region (NMFS 2023). North of Point Conception, GST critical habitat is no longer recommended for designation due to suboptimal conditions, as water temperatures prevent long-term residency.

in the region just south of Point Conception. The absence of seagrass habitat and the modified nature of the marina further reduce the likelihood of GST presence in the area.

Discussion of Potential Project Impacts

a, b, d) Less than Significant Impact. As described in the **Marine Biological Resources Report and Essential Fish Habitat Assessment**, special-status wildlife and plant species have the potential to occur within the waterside of the Project Site. Specifically, protected, rare, threatened, or endangered species that may occur within this region include the California brown pelican, which was delisted but is still considered sensitive. Mammals protected under the Marine Mammal Protection Act and likely to occur in Ventura Harbor include California sea lion (*Zalophus californianus*), common bottlenose dolphin (*Tursiops truncatus*), and harbor seal (*Phoca vitulina*).

Operations

The existing docks have a footprint of 90,400 square feet (sf) whereas the proposed docks have a decreased footprint of 89,000 sf, resulting in a net loss of overwater coverage. The proposed docks decrease the area of cover overwater, however they are in a different configuration than the existing docks. The majority of the existing dock footprint will be retained and the proposed footprint will allow for a more diverse range of vessel sizes and the alteration of the marina channels will improve navigational flow. Since the soft-bottom habitat that comprises the majority of the Project site was unvegetated, the impacts of a change in dock orientation would not impact sensitive species. The net loss of overwater coverage is beneficial to foraging birds, such as the egrets and herons observed at the site, as it increases the area available for foraging.

The existing marina is comprised of a total of 302 piles, 14 of which are 12-inch round steel piles, with the other 285 being 12-inch square concrete piles. The new dock configuration reduces the total number of pilings to 183, 90 of which will be 12-inch round steel piles and the other 93 being 14-inch round steel piles, both with HDPE sleeves. The existing piles cover 296 sf and the proposed piles are anticipated to cover 264 sf, resulting in a net decrease in fill as well as number of piles. The decreased ocean fill will increase the amount of benthic habitat available for species to colonize as well as decrease the effects that pilings have on the hydrodynamics of the Project site. The decrease in both the amount of fill and number of piles could result in a beneficial effect.

The Project would not introduce new habitable structures or uses that would significantly affect the habitat of any plant or wildlife species. Additionally, the Project would not result in the disturbance or removal of any trees, thereby leaving any existing habitat for any special status-bird species unaffected. Therefore, Project operations would not have a substantial adverse effect, either directly or through

habitat modifications, on any species identified as a candidate, sensitive, or special status species. Impacts would be less than significant.

Construction

Construction would include pile driving activities that have potential to cause noise disturbance to marine mammals, birds, and fishes. The proposed installation method utilizes vibratory and impact-hammer techniques. The piles will be vibrated first, using the impact hammer to reach final pile tip elevation. Noise levels from both installation methods have the potential to cause either injury or harassment to sensitive marine species.

An analysis of hydroacoustic impacts on marine mammals was prepared by Marine Taxonomic Services Ltd. (MTS) and is included in **the Marine Biological Resources Report and Essential Fish Habitat Assessment (see Appendix B)**. This noise analysis and monitoring plan assesses the potential impacts to marine mammals and proposes a plan to minimize Project disturbance on sensitive marine mammals. Such mitigation measures satisfy the requirements of the Marine Mammal Protection Act,

MTS conducted a site visit as part of the biological resources survey. Several sensitive marine and marine-dependent species were observed within the Project area during the site visit, including bottlenose dolphins, California sea lions, snowy egrets, and great blue herons. Bottlenose dolphins do not typically enter marinas, but were observed swimming within the slips of the marina by surveyors and marina residence on different occasions. California sea lions were also observed at the site and frequent areas outside of the Project site that would fall into the acoustic zone of influence. Due to these protected marine mammals being present within and around the site, a marine mammal monitoring plan was developed and is included as MM BIO-1. The marine mammal monitoring (MMM) plan utilizes the noise analysis shown in **Section 13, Noise** and included in **the Marine Biological Resources Report and Essential Fish Habitat Assessment**. The intent of the MMM plan is to incorporate disturbance thresholds calculated in the noise analysis to delineate distances for monitors surveying for marine mammals during pile replacement activities resulting in elevated noise thresholds. This plan includes monitoring for the presence of marine mammals within the acoustic zone of influence, and utilizing a soft-start for pile driving.

Under the Marine Mammal Protection Act, National Marine Fisheries Service has defined levels of harassment for marine mammals. Level A harassment is defined as “Any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal or marine mammals stock in the wild.” Level B harassment is defined as “Any act of pursuit, torment, or annoyance which has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral

patterns, including but not limited to migration, breathing, nursing, breeding, feeding, or sheltering.” Sounds in water and air can cause both Level A and B harassment. The marine mammal survey boundaries cover waters within Level B harassment distances for vibratory and impact driving methods. Due to the presence of land, the Level B harassment zone calculated for vibratory methods does not reasonably need to be observed as land feature will interfere with the sound from traveling that full distance. The survey area represented in the **Marine Biological Resources Report and Essential Fish Habitat Assessment** presents the furthest surveyor distance relative to the southwestern corner of the construction boundary after considering the effects of sound shadows produced by the shoreline interference. Marine mammal survey boundaries for vibratory and impact pile driving methods are shown in the **Marine Biological Resources Report and Essential Fish Habitat Assessment**. These survey areas would allow protected species observers (PSO) to monitor any marine mammals with potential to enter zones of influence. This area includes dock structures where pinnipeds may be hauled out and have potential to enter the water during noise-generating construction activities.

Other in-water receptors can be impacted by construction noise. These receptors include the green sea turtle (*Chelonia mydas*) and various species of fishes. Green sea turtles were deemed unlikely to occur within the Project area. However, they can be monitored alongside marine mammals and if they were to occur within the Project vicinity, work should be halted. Impacts to fishes can be avoided with best management practices and with implementation of Mitigation Measure **MM BIO-1**.

Noise from pile driving can also impact the behavior of both foraging and nesting birds, as such an avian monitoring plan was also developed and is included within mitigation measure **MM BIO-2**. The implementation of an avian monitoring plan and marine mammal monitoring plan will reduce the potential noise impacts on sensitive species to less than significant.

As detailed in **Section 13, Noise**, MTS performed a hydroacoustic evaluation on the impacts of construction generated noise on marine mammals and fishes for this Project and devised a marine mammal and avian monitoring plan based on the results. Due to these protected marine mammals being present within and around the site. To mitigate potential impacts, the avian monitoring plan and marine mammal monitoring plan would be implemented. With the implementation of **MM BIO-1** and **MM BIO-2**, construction-related impacts associated with the Project would be less than significant.

Mitigation Measures

MM BIO-1 Prior to the start of construction, the Project Applicant shall implement the following marine mammal monitoring plan.

A Protected Species Observer (PSO) shall begin monitoring each day 15 minutes before the commencement of in-water pile replacement activities, during all pile replacement activities, and for 15 minutes after pile replacement activities have concluded for the day or stop for more than an hour.

A shutdown zone of 5 meter (m) for vibratory driving for all marine mammals shall be implemented. Should in water work vessels utilizing vibratory methods for driving occupy waters beyond 5 m from the source of sound a 20 m distance around in-water vessel shall be utilized to prevent the potential for physical injury to marine mammals that could result from construction activities (i.e. pile falling on animal if dropped from crane).

The shutdown zones when impact driving methods are utilized are 177 m from the source of sound for pinnipeds and 277 m from the source of sound for cetaceans. The actual delineation of the shutdown zones may change depending on the location of the source of sound.

If a marine mammal is observed within the shutdown zone, work should wait for the animal to be observed outside of the shutdown zone or until 15 minutes have passed. Monitors are authorized to stop or halt work if marine mammals occur in waters within the shutdown zone, potential for animal injury is observed, or animal injury occurs.

Impact pile driving soft starts shall be utilized at the beginning of each day or after 30 minutes of pile driving pause.

During each monitoring day the PSO shall record general environmental conditions, their ability to view the full survey area, construction activities related to pile replacement, and location of marine mammal sightings. Additional details include the animals behavior (loafing, transiting, direction of travel, feeding, hauled out), sex, maturity, and resighting. Additional notes shall be recorded if marine mammal observations result in subsequent work stop or halt. Reports shall be maintained by the Applicant or its designee and shall be provided at the request of the Lead Agency.

MM BIO-2 Prior to the start of construction, the Project Applicant shall implement an avian monitoring plan. The proposed avian survey boundary covers all areas within 500 feet of the construction boundary. Should construction occur in phases, the construction boundary and avian survey boundary shall be adapted to reflect the actual extent of that construction phase and associated 500-foot avian survey boundary.

Avian species targeted for monitoring efforts may include but are not limited to black-crowned night herons, great blue herons, snowy egrets, or other sensitive species listed in the federal or California Endangered Species Act or any California bird species of special concern that exhibit reproductive or nesting behaviors within the avian survey boundary. The avian survey shall be performed by a qualified biologist (as determined by the Lead Agency). The biologist shall survey the area within the avian survey boundary by foot and record observations of avian species with the aid of binoculars. All avian observations shall be recorded on a survey tablet along with the corresponding date, time, and weather conditions.

Survey shall occur once prior to the start of construction and weekly thereafter when construction activities require the use of equipment with potential to generate elevated noise levels. Should target avian species be observed exhibiting nesting behaviors within 300-ft of construction activities, daily avian monitoring shall occur to evaluate if construction activities result in the disturbance of target avian species.

If reproductive or nesting behavior is observed one of the following methods shall be implemented: no-disturbance zones, installing noise-dampening structures, and using quieter methodologies for construction.

- c) ***Less than Significant Impact with Mitigation Incorporated.*** The Project Site is not located within any federally recognized wetlands. However, the Project would occur within a marina and the Project Site is adjacent to the Pacific Ocean. The Project may increase turbidity and the discharge of materials into the waterway during construction; however, operationally, the Project would be comparable to existing conditions and no new protections would be necessary. As discussed in **Section 10, Hydrology and Water Quality**, the Project would be required to adhere to the requirements outlined in the Ventura County MS4 permit and implement Best Management Practices (BMPs) to limit contaminants from ultimately being discharged into the Pacific Ocean. Furthermore, mitigation measures will be incorporated into the Project to ensure compliance with existing marina BMPs. **Mitigation Measure MM BIO-3** outlines the appropriate procedures for debris removal during construction to ensure that these activities do not increase the level of discharge within the marina and would implement best management practices during Ventura West Marina operations to better ensure the long-term water-borne berthing of boats. With the implementation of **Mitigation Measure MM BIO-3**, impacts to protected waterways would be reduced to less than significant levels.

Mitigation Measures

MM BIO-3 Implementation of Best Management Practices. To ensure protection of water quality from waterside construction activities, the Project will demonstrate compliance with the Clean Marina Plan, as part of compliance, the Applicant will implement the following Best Management Practices (BMPs):

1. Silt curtains will be utilized to control turbidity during removal and placement of piles.
2. Floating booms shall be maintained around the project site in order to capture floating debris during all demolition and construction phases.
3. Divers will recover non-buoyant debris discharged into coastal waters as soon as possible after loss.
4. Floating debris would be removed from the water and disposed of properly.
5. Disturbance to the ocean bottom and intertidal areas shall be minimized.
6. Machinery or construction materials not essential for project improvements are prohibited at all times in the subtidal or intertidal zones.
7. Operators of construction equipment and all other project workers shall not harass any marine mammals, waterfowl, or fish in project area
8. Netting, sandbags, tarps and/or other forms of barriers shall be installed between the water and work areas and equipment storage areas to prevent any unpermitted material from entering bay.
9. Erosion control/ sedimentation BMPs shall be used to control sedimentation impacts to coastal waters during project staging and demolition.
10. The Applicant, its designee or the construction contractor shall ensure no debris, soil, silt, sand, sawdust, rubbish, cement or concrete washings thereof, oil or petroleum products, from construction shall be allowed to enter into or placed where it may be washed by rainfall or runoff into waters of the United States.
11. All floatable debris and trash generated by construction activities within the project area shall be disposed of as soon as possible or at the end of each day.
12. Maintain good housekeeping. The Applicant or its designee shall maintain a clean site at end of every construction day. This include ensuring mud and debris from construction vehicles is not dropped on public streets and that all turning areas and pavement entrances are swept as needed.

13. At the end of the construction period, the Applicant or its designee shall inspect the project area and ensure that no debris, trash or construction materials has been left on the shore or in the water.

- e) No Impact.* No trees are proposed to be removed as part of the proposed Project. Therefore, the Project would not result in an impact related to Chapter 20.150 of the City's Municipal Code, which restricts the alteration or removal of street trees. No impact would occur.
- f) No Impact.* The Project Site is not located in an area subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved conservation plans. Therefore, no impact would occur.

5. CULTURAL RESOURCES

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966 (as amended) is the primary federal law dealing with historic preservation. Section 106 of the NHPA requires federal agencies to consult with the Advisory Council on Historic Preservation to consider the effects of their undertakings on historic properties. The historic significance of a building, structure, object, site, or district for listing is assessed based upon the criteria in the National Register of Historic Places (NRHP). A resource is considered eligible for the NRHP if the quality of significance in American history, architecture, archaeology, engineering, and culture is present and if the resource includes integrity of location, design, setting, materials, workmanship, feeling, and association and:

- Is associated with events that have made a significant contribution to the broad pattern of our history;
- Is associated with the lives of persons significant to our past;
- Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possessed high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

State

Section 15064.5 of the *State CEQA Guidelines* defines a historical resource as (1) a resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; (2) a resource listed in a local register of historical resources or identified as significant in an historical resource survey meeting certain state guidelines; or (3) an object, building, structure, site, area, place, record or manuscript that a lead agency determines to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided that the lead agency's determination is supported by substantial evidence in light of the whole record.

State California Register of Historical Resources

The California Register of Historic Resources (CRHR) is administered by the State Office of Historic Preservation and encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes, determines eligibility for state historic preservation grant funding, and affords protections under CEQA. A historic resource listed in, or formally determined to be eligible for listing in the NRHP is, by definition, included in the CRHR (Public Resources Code Section 5024.1[d][1]).

For a historical resource to be eligible for listing on the CRHR, it must be significant under one or more of the following criteria:

- It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- It is associated with the lives of persons important to local, California, or national history;
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic value; or
- It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Archaeological Resources and Human Remains

Archaeological and historical sites are protected by several state policies and regulations under the California Public Resources Code, California Code of Regulations (Title 14 Section 1427), and California Health and Safety Code. California Public Resources Code Sections 5097.9-5097.991 require notification of discoveries of Native American remains and provides for the treatment and disposition of human remains and associated grave goods.

California Public Resources Code

The discovery of Native American burial sites is regulated in accordance with Section 5097.98 California Public Resources Code, which states the following:

“(a) Whenever the commission receives notification of a discovery of Native American human remains from a county coroner...it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may... inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.”

California Health and Safety Code

The discovery of human remains is regulated in accordance with California Health and Safety Code Section 7050.5, which states the following:

“In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation...until the coroner...has determined...that the remains are not subject to...provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible.... The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and...has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

Local

General Plan Policies

The City's *General Plan* policies applicable to cultural resources include, but are not limited to, the following:

Policy 9D Ensure proper treatment of archeological and historic resources.

City of Ventura Municipal Code

Chapter 24.455 (Historic Preservation) of the City's *Municipal Code* establishes the procedures for identifying, designating, and preserving historic landmarks or points of interest. Chapter 24.455 prohibits

the defacing, altering, or reconstruction of, or the construction of additions to, or any other changes to, the exterior of a designated historic landmark or property that has been identified as eligible in a historic resources survey adopted by the City of Ventura City Council. The City Council may also make any reasonable arrangements to preserve these identified landmarks.

Existing Setting

The *City of Ventura General Plan* identifies sites and resources within the City that are locally recognized as historic or cultural sites. Based on Table 9-1 and Figure 9-1 of the *General Plan*, there are no historical or cultural sites on-site or adjacent to the Project Site. On September 17, 2024, a request was sent to the California Native American Heritage Commission to confirm that there were no recorded sacred or cultural resources within the Project Site. On September 24, 2024, the Native American Heritage Commission provided a response letter confirming that there are no cataloged resources identified on-site (see the Ventura West Marina Redevelopment Project Cultural Resources Technical Report.)¹²

Local History

The area that is now Ventura was missionized in 1782, with the founding of the San Buenaventura Mission, which became a secularized parish in 1836 (California Mission Resource Center 2019). The townsite of San Buenaventura (referred to as Ventura following 1889) was first laid out by Jose Arnaz in 1848 and became an official town when its post office was established in 1864. The city was incorporated by an act of state legislature in 1866. During this early period, the community was primarily accessible via ship and development was clustered in the vicinity of (and north and west of) the mission. In 1868, a stagecoach line was established, followed by the completion of the transcontinental railroad in 1869. After these developments, San Buenaventura's downtown area became denser and diversified to include varying ethnic backgrounds including Italian, French, German/Austrian and Chinese, many of whom established commercial enterprise (Historic Resources Group 2022).

The construction of a wharf was the first large-scale infrastructural improvement undertaken in Ventura. Construction began in 1872 and was completed January 1, 1873, spurring economic growth in the city and surrounding region. At the time of its construction, the wharf in Ventura was the longest wooden wharf in California (City of Ventura n.d.). Its presence not only increased the city's general accessibility but perhaps more importantly, it provided much-needed shipping options for the area's already established and growing agricultural economy, and the lumber and oil industries. Following the turn of the century, Ventura greatly expanded its geographic boundaries. During this period, significant portions of recently annexed land remained in use for agricultural purposes and commercial

¹² See attached **Appendix C, Cultural Resources Evaluation**

and residential development in the downtown area persisted. The city made significant strides towards modernization and street lighting, sidewalks, and public areas such as parks and gardens developed during this period. A significant strike by Shell Oil in 1921 ushered in exponential growth in both the city and the county of Ventura and expansive residential development took place. While growth slowed during the Depression and the lead up to World War II, the postwar period ushered in tremendous growth. Between 1940 and 1960, the population more than doubled, from 13,264 to 29,114. With greater reliance on the automobile, the city expanded east of downtown. In September 1962, U.S. Highway 101 was constructed, trending east-west along the ocean, with highways 33 and 126 constructed in the same decade. In the last several decades, development in the city has continued to expand east and densify. According to the U.S. Census Bureau, Ventura's population was estimated at 111,128 in 2018.¹³

Ventura Harbor

Following World War II, the United States experienced an economic and construction boom leaving many Americans with increased disposable income and leisure time. During this period, due to the commercial availability of new technologies and the accessibility of products such as plastics and plywood, boat construction became less expensive, making boats more affordable to the consumer. This led to an increase in the number of recreational small crafts and, consequently, the construction of new marinas and harbors throughout Southern California. Additionally, during this period, the construction of recreational facilities increased in support of the growing number of Americans living in the country's rapidly expanding suburbs, with facilities such as golf courses, parks, and recreational centers also constructed throughout the region.

The Ventura Port District was created in 1952 through general election for the purpose of constructing and operating a commercial and recreational boat harbor in the city of Ventura. The District created initial designs for the harbor in the 1950s, and in 1962, after the release of \$4.75 million in bonds, groundbreaking began by Macco Construction Company of Paramount. Completed in 1963, initial development of the Ventura Harbor, then known as Ventura Marina, carved out the shoreline west of Harbor Drive and south of Highway 101 and created a harbor trending north-south approximately 1 mile long. In 1963, Ventura Harbor consisted of a paved Spinnaker Drive and two singular floating docks in what is currently the harbor's southern portion. By 1965, the number of docks had increased throughout the harbor and new buildings and a Union Oil station were constructed, including nine docks and three small buildings in the Area of Potential Effects (APE), referred to as Ventura West Marina. Ventura West Marina was a small portion at the southwestern end of the larger Ventura Harbor. Also,

¹³ See attached **Appendix C, Cultural Resources Evaluation**

during this period, the harbor's northern inlets were partially developed with single-family tracts known as Ventura Keys in support of increased leisure lifestyle activities.

Following its initial construction, the harbor experienced several issues including sand build-up, dangerous conditions at its entrance, and flooding of the Santa Clara River delta, located to its south. In response, in 1968, Congress directed the USACE to take over responsibility of the harbor's dredging and further design. However, in 1969, the severe flooding of the Santa Clara River damaged the docks in the southern portion of the harbor within the APE, leaving the area unusable. In response, between 1969 and 1979, the damaged docks were replaced, the levy between the river delta and the harbor was reinforced, and an offshore breakwater was constructed.

Into the latter twentieth century, Ventura Harbor developed further and continued to support recreational and leisure activities for Ventura residents and visitors. By 1984, Ventura Keys was completed and the southern portion of the harbor, along Spinnaker Drive was developed with commercial buildings, hotels, District buildings, and additional docks. Several District buildings which had been constructed in the northern portion of the harbor in 1965, were removed and replaced by the Harbortown Point Marina Resort and Club in 1984, and throughout the 1990s and 2000s the harbor experienced additional infill development.¹⁴

Natural Setting

The current APE lies in Ventura County near the McGrath State Beach and Campground at an approximate elevation of 11 feet above mean sea level. None of the surrounding area retains its natural setting, with the current APE located within an area historically used for farming, and the extant harbor being manmade and artificially inundated. Located immediately west of the APE is the Pacific Ocean. Additionally, the Santa Clara River is approximately one mile to the south of the current APE. Vegetation within the vicinity of the site consists of agricultural lands, and a variety of native and non-native plants and grasses. Wildlife within the APE typically consists of gophers, squirrels, and various birds.¹⁵

Discussion of Potential Project Impacts

a) **No Impact.** The Project consists of waterside improvements that include replacement and improvement of the existing docks and facilities. The docks themselves are not known to have contributed to California history in any meaningful way that would result in them being designated as historical resources. The Project Site is not within a historic district. Additionally, as shown in **the**

¹⁴ See attached **Appendix C, Cultural Resources Evaluation**

¹⁵ See attached **Appendix C, Cultural Resources Evaluation**

Cultural Resource Report (Appendix C), the Project Site is not listed on the CRHR or the NRHP, nor are any nearby buildings. As such, the Project would not impact any historical resource pursuant to in §15064.5. No impact would occur.

- b) *Less than Significant Impact with Mitigation Incorporated.* The Project consists of waterside improvements that include replacement of the existing docks and facilities. Therefore, it is unlikely that accidental discovery of archeological resources would occur as such resources are typically found on land. Nonetheless, ground disturbing activities could potentially result in the discovery of previously undiscovered archaeological resources, which would be considered a significant impact. In the event that previously unidentified cultural (archaeological) resources are encountered during grading activities, the Project would be required to comply with **Mitigation Measure MM CUL-1. Mitigation Measure MM CUL-1** would ensure that work in the immediate area of the find is halted until an archaeologist evaluates the find and determines appropriate subsequent procedures. Compliance with **Mitigation Measure MM CUL-1** would reduce impacts to less than significant levels.

Mitigation Measures

MM CUL-1: In the event that previously unidentified cultural resources are encountered during ground disturbing activities, work in the immediate area must halt and a qualified archaeologist under the City's standards must be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, the qualified archaeologist shall expeditiously prepare and implement a research design and archaeological data recovery plan that captures those categories of data for which the site is significant in accordance with Section 15064.5 of the *CEQA Guidelines*.

- c) *Less than Significant Impact.* No dedicated cemetery exists on the Project Site or in the vicinity of the Project. As the Project Site has been subject to past subsurface disturbance associated with dock construction; it is not anticipated that intact human remains would be encountered during construction activities. However, in the event that human remains are encountered, those remains would require proper treatment, in accordance with the with State of California Health and Safety Code Section 7050.5. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would also be implemented. Adherences to existing State laws would reduce impacts to less than significant levels.

6. ENERGY

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Renewable Portfolio Standard

Established in 2002 under SB 1078, accelerated in 2006 under SB 107, and expanded in 2011 under SB 2, California's Renewables Portfolio Standard (RPS) is one of the most ambitious renewable energy standards in the country. The RPS program requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020.

Assembly Bill 32: Global Warming Solutions Act

In addition to Title 24, Assembly Bill 32 (AB 32) is anticipated to result in the future regulation of energy resources in California. In order to achieve these emission reductions, it is generally accepted that California will need to improve its overall energy efficiency, which includes the use of more renewable energy resources. Pursuant to AB 32, CARB will work with other state agencies (including the California Energy Commission), to implement feasible programs and regulations that reduce emissions and improve energy efficiency.

County of Ventura

Currently the County of Ventura promotes efficient distribution of public utilities to ensure that public utilities are adequate to service existing and projected land uses, avoid hazards, and are compatible with the natural environment and human resources.¹⁶

¹⁶ County of Ventura, 2040 General Plan, 2022, Available at: <https://egeneralplan.vcrma.org/chapter/public-utilities/>

Existing Setting

Electricity in the County of Ventura is primarily provided by the Southern California Edison (SCE) Company. The Southern California Gas Company (SoCal Gas) provides natural gas service to all the cities and communities in Ventura County including the Project Site.

Discussion of Potential Project Impacts

a) Less than Significant Impact.

Construction

Construction activity would use energy in the form of petroleum-based fuels to power off-road construction vehicles and equipment throughout the Project Site, construction worker travel to and from the Project Site, and vehicles used to deliver materials to the Project Site.

Construction equipment would be maintained to applicable standards, and construction activity and associated fuel consumption and energy use would be temporary and typical of construction sites. It is also reasonable to assume contractors would avoid wasteful, inefficient, and unnecessary fuel consumption during construction to reduce construction costs. Therefore, the Project would not involve the inefficient, wasteful, and unnecessary use of energy during construction, and the construction-phase impact related to energy consumption would be less than significant.

Operation

The Project's operational energy impacts would be no greater than its existing operational energy uses, as the Project proposes to update the marina docks and other features. The Project's on-site operational energy impact would be considered less than significant.

b) Less than Significant Impact. The Project would comply with all state and local plans and policies described above for renewable energy and energy efficiency. Therefore, implementation of the Project would result in less than significant impacts associated with renewable energy or energy efficiency plans.

7. GEOLOGY AND SOILS

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) (California Building Code), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The Act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

Staff geologists in the Seismic Hazard Zonation Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake-induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes.

The Seismic Hazards Mapping Act requires that site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards (i.e., liquefaction and earthquake induced landslides) and formulate mitigation measures prior to permitting most developments designed for human occupancy.

California Building Code

The 2019 California Building Standards Code (CBC) was published July 1, 2019, with an effective date of January 1, 2020. The CBC, which applies to all applications for building permits, consists of 11 parts that contain administrative regulations for the California Building Standards Commission and for all State

agencies that implement or enforce building standards. Local agencies must ensure development complies with the CBC guidelines. Cities and counties can adopt additional building standards beyond the CBC. Part 2 of the CBC is based upon the 2019 International Building Code.

Soil Investigation Requirements

California Health and Safety Code Sections 17953–17955 and in Section 1802 of the CBC identify requirements for soils investigations for subdivisions requiring tentative and final maps, and for other specified types of structures. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness.

Standard Urban Storm Water Mitigation Plan

The Los Angeles Regional Water Quality Control Board (LAWQCB), in coherence with the National Pollutant Discharge Elimination System (NPDES), implemented the Standard Urban Storm Water Mitigation Plan (SUSMP) as part of the municipal stormwater program to address storm water pollution from new development and redevelopment within incorporated cities. The SUSMP contains a list of the minimum required BMPs that must be used for a designated project. Additional BMPs may be required by ordinance or code adopted by the permittee and applied generally or on a case-by-case basis. The permittees are required to adopt the requirements set herein in their own SUSMP. Developers must incorporate appropriate SUSMP requirements into their project plans. Each permittee will approve the project plan as part of the development plan approval process and prior to issuing building and grading permits for the projects covered by the SUSMP requirements.

General Plan Policies

The City's *General Plan* includes policies related to geologic hazards and paleontological resources. These policies include, but are not limited to, the following:

Policy 7B Minimize risks from geologic and flood hazards.

City of Ventura Municipal Code

Chapter 12.220 (Grading Regulations) of the City's *Municipal Code* outlines the regulatory requirements for grading activities that occur within the City. Specifically, Section 215.020 (Requirements) of the *Municipal Code* requires all new development to submit all plans and specifications to City Engineer in accordance with the current City submittal checklist for grading plans. If applicable, a developer may be required to

submit an Engineering Geological Report or a Soils Engineering Report, if applicable. Section 12.220.070 (Areas Subject to Geologically Hazardous Conditions) of the *Municipal Code* specifies the grading requirements and prerequisites for grading activities that would occur within areas subject to existing or potential liquefaction hazards, landslides, unstable soil, or geologic hazards.

Existing Setting

The Project Site is located within a seismically active Southern California region. **Table 4, Major Fault Zones within Close Proximity to the Project Site**, lists the major seismically active fault zones, their proximity to the Project Site, their magnitude (Mw), their interval between major ruptures, and their probable magnitudes. As shown in **Table 3**, the Oak Ridge Fault traverses the southeast corner of the Project Site. The Oak Ridge Fault has a probable magnitude that ranges between 6.5 to 7.5 Mw. Additionally, the Project Site is located within close proximity to the Ventura Fault, which has a probable magnitude that ranges between 6.0 to 6.8 Mw. The Newport-Inglewood Fault Zone and the San Andreas Fault zone are regionally major fault zones within proximity to the Project Site. Due to the close proximities and their probable magnitudes, the Project Site would be subject to strong ground shaking in the event of a large magnitude earthquake on any of the local faults or regional fault systems.

Table 4
Major Fault Zones Within Close Proximity to the Project Site

Fault Name	Distance to Project Site (miles/direction) ^{1,2}	Probable Magnitudes (Mw) ³
Oak Ridge Fault	Traverses Project Site to the southeast	6.5 - 7.5
Ventura Fault	2.8 miles north	6.0 - 6.8
Santa Monica Fault	45.1 miles south	6.0 - 7.0
San Andreas Fault	48.4 miles east	6.8 - 8.0
Newport-Inglewood Fault Zone	61.9 miles south	6.0 - 7.4

Notes: Mw=Magnitude

Sources:

^{1.} United States Geological Survey, Quaternary Fault and Fold Database of the United States, <https://www.usgs.gov/programs/earthquake-hazards/faults>, accessed September 6, 2022.

^{2.} California Department of Conservation, Fault Activity Map of California, <https://maps.conservation.ca.gov/cgs/fam/>, accessed September 6, 2022.

^{3.} Southern California Earthquake Data Center, Earthquake Information, accessed September 6, 2022.

The topography of the Project Site is relatively flat and, according to the General Plan EIR, is not located within a designated landslide zone. The Project Site is also designated by the General Plan EIR as a low

expansive soil zone. Furthermore, the Project Site is located within a liquefaction hazard zone.¹⁷ The Project Site is developed, with minimal soil exposure.

Discussion of Potential Project Impacts

a)

- i) **No Impact.** The California Geological Survey (CGS) establishes regulatory zones around active faults, called Alquist-Priolo Earthquake Fault Zones (previously called Special Study Zones). These zones, which extend from 200 to 500 feet on each side of the known fault, identify areas where a potential surface fault rupture could prove hazardous for buildings used for human occupancy. Development projects located within an Alquist-Priolo Earthquake Fault Zone are required to prepare special geotechnical studies to characterize hazards from any potential surface ruptures. The Project Site is not a development project in that it will not result in any new habitable structures and is limited to the replacement and improvements of the existing docks and facilities. Further, The Project is not located within a State of California Earthquake Fault Hazard Zone or an Alquist-Priolo Earthquake Fault Zone.¹⁸ Therefore, no impact would occur.
- ii) **Less than Significant Impact.** The Oak Ridge Fault traverses the Project Site and has a maximum probable magnitude of 7.5 Mw which could result in strong ground shaking. As described in the Project Description, the Project would not introduce new habitable structures and is limited to dock replacement, there are no features about the Project that would exacerbate existing seismic activity on the Project Site. Adherence to current building codes and engineering practices would ensure that the Project would not expose people, property, or infrastructure to seismically induced ground shaking hazards that are greater than the average risk associated with locations in the Southern California region and would minimize the potential to expose people or structures to substantial risk, loss, or injury. With compliance with existing regulatory requirements, Project impacts associated with seismic ground shaking would be less than significant.
- iii) **Less than Significant Impact.** Liquefaction is a seismic phenomenon in which loose, saturated, fine-grained granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: (1) shallow groundwater; (2)

¹⁷ California State Geoportal, CGS Seismic Hazards Program: Liquefaction Zones, <https://maps-cnra-cadoc.opendata.arcgis.com/datasets/cadoc::cgs-seismic-hazards-program-liquefaction-zones/explore?location=35.673513%2C-119.759465%2C7.09>, accessed April 7, 2025..

¹⁸ California State Geoportal, CGS Seismic Hazards Program: Alquist-Priolo Fault Hazard Zones, <https://gis.data.ca.gov/maps/ee92a5f9f4ee4ec5aa731d3245ed9f53/explore?location=34.271027%2C-119.286924%2C14.14>, accessed April 7, 2025.

low-density, fine, clean sandy soils; and (3) high intensity ground motion. As stated, although the Project Site is located within a liquefaction zone, no features of the Project would result in increased liquefaction potential as the Project is limited to dock improvements. Further, adherence to current building codes and engineering practices would ensure the Project would not expose people, property, or infrastructure to seismically induced ground failure. Impacts involving seismic-related ground failure related liquefaction would be less than significant.

- iv) No Impact.* Landslides and other types of slope failures, such as lateral spreading, can result in areas with varying topography in the event of an earthquake. The topography of the Project Site is relatively flat with no significant slopes existing within its vicinity. The Project Site is not located within a landslide zone and is not susceptible to landslides. Thus, the Project would not result in potential adverse effects involving landslides. No impact would occur.
- b) Less than Significant Impact.* The Project would be required to comply with federal, regional, and local regulations pertaining to soil erosion as a result of construction activity. Under City grading permit regulations, the Project Applicant is required to comply with LAWQCB requirements and prepare a SUSMP prior to the issuance of any grading permits. A SUSMP identifies the specific erosion and sediment control BMPs that would be implemented to protect storm water runoff during construction activities. The SUSMP will be submitted as part of the Project development plan to the Ventura Port District and the City Engineer for approval prior to the issuance of any grading permits. Compliance with SUSMP and LAWQCB requirements will ensure impacts remain less than significant.
- c, d) Less than Significant Impact.* Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. The surficial blocks are transported downslope or in the direction of a free face, by earthquake and gravitational forces. The site is relatively flat and does not include a free-facing slope. Therefore, the potential for lateral spreading is considered very low.

Subsidence occurs when large amounts of groundwater have been withdrawn from certain types of rocks, such as fine-grained sediments. In California, large areas of land subsidence were first documented by U.S. Geological Survey (USGS) scientists in the first half of the 20th century. Most of this subsidence was a result of excessive groundwater pumping. The Project Site is not within a subsidence area according to the USGS.¹⁹

¹⁹ U.S. Geological Survey. *Areas of Land Subsidence in California*. Available at: https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html, accessed April 7, 2025..

As discussed previously, the Project Site is within a liquefaction zone. In addition, the Project Applicant would be required as part of the permitting process, and compliance with the City's grading regulations, to prepare (or have prepared) a Final Geotechnical Investigation that would confirm the Project Applicant may be required to submit a Soils Engineering Report to ensure that the existing soils on-site are stable and would be capable of supporting the Project. Through compliance with the City's requirements and recommendations included in the Final Geotechnical Report, impacts related to geologic and soil instability would be less than significant.

- e) **No Impact.** Project implementation would not use septic tanks or alternative wastewater disposal systems. The Project Site is currently connected to the City's wastewater conveyance system. Therefore, no impact would occur.
- f) **Less than Significant Impact with Mitigation Incorporated.** Paleontological resources include fossil remains or traces of past life forms, including both vertebrate and invertebrate species, as well as plants. Paleontological resources are generally found within sedimentary rock formations.

The Project Site is currently developed and has been previously disturbed. However, ground disturbing activities during construction could potentially impact undiscovered paleontological resources, which would be considered a significant impact. **Mitigation Measure MM GEO-1** would require all construction activities to halt in the event that a paleontological resource is encountered and would require a qualified paleontologist to monitor construction activities and prepare a Paleontological Resource Mitigation Plan to address assessment and recovery of the resource. With the implementation of **Mitigation Measure MM GEO-1**, impacts related to paleontological resources would be reduced to less than significant.

Mitigation Measures

MM GEO-1 In the event paleontological resources are discovered all work shall be halted within 50 feet of the discovery and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Ventura Port District, and a copy of the report shall be provided to the City of Ventura.

8. GREENHOUSE GAS EMISSIONS

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Executive Order S-3-05

In 2005, in recognition of California's vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emissions of Greenhouse Gases (GHGs) would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

AB 32 Climate Change Scoping Plan

In 2006, California passed the California Global Warming Solutions Act of 2006 (AB 32; California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), which requires the California Air Resources Board (CARB) to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020.

As a central requirement of AB 32, CARB was assigned the task of developing a Scoping Plan that outlines the State's strategy to achieve the 2020 GHG emissions limit. This Scoping Plan, which was developed by CARB in coordination with the Climate Action Team (CAT), was published in October 2008. The Scoping Plan proposed a comprehensive set of actions designed to reduce overall GHG emissions in California, improve the environment, reduce the State's dependence on oil, diversify the State's energy sources, save energy, create new jobs, and enhance public health. An important component of the plan is a cap-and-trade

program covering 85 percent of the State's emissions. Additional key recommendations of the Scoping Plan include strategies to enhance and expand proven cost-saving energy efficiency programs; implementation of California's clean cars standards; increases in the amount of clean and renewable energy used to power the State; and implementation of a low-carbon fuel standard that will make the fuels used in the State cleaner. Furthermore, the Scoping Plan also proposes full deployment of the California Solar Initiative, high-speed rail, water-related energy efficiency measures, and a range of regulations to reduce emissions from trucks and from ships docked in California ports. The Proposed Scoping Plan was approved by CARB on December 11, 2008.

Because climate change is already affecting California and current emissions will continue to drive climate change in the coming decades, the need to adapt to the impacts of climate change is recognized by the State of California. The 2009 California Climate Adaptation Strategy Discussion Draft (the Strategy) begins what will be an ongoing process of adaptation, as directed by Governor Schwarzenegger's Executive Order S-13-08. The goals of the strategy are to analyze risks and vulnerabilities and identify strategies to reduce the risks. Once the strategies are identified and prioritized, government resources will be identified. Finally, the strategy includes identifying research needs and educating the public.

Climate change risks are evaluated using two distinct approaches: (1) projecting the amount of climate change that may occur using computer-based global climate models and (2) assessing the natural or human system's ability to cope with and adapt to change by examining historical experience with climate variability and extrapolating this to understand how the systems may respond to the additional impact of climate change. The major anticipated climate changes expected in the State of California include increases in temperature, decreases in precipitation, particularly as snowfall, and increases in sea level, as discussed above. These gradual changes will also lead to an increasing number of extreme events, such as heat waves, wildfires, droughts, and floods. This would impact public health, ocean and coast resources, water supply, agriculture, biodiversity, and transportation and energy infrastructure.

Key preliminary adaptation recommendations included in the Strategy are as follows:

- Appointment of a Climate Adaptation Advisory Panel;
- Improved water management in anticipation of reduced water supplies, including a 20 percent reduction in per capita water use by 2020;
- Consideration of project alternatives that avoid significant new development in areas that cannot be adequately protected from flooding due to climate change;
- Preparation of agency-specific adaptation plans, guidance or criteria by September 2010;
- Consideration of climate change impacts for all significant State projects;
- Assessment of climate change impacts on emergency preparedness;

- Identification of key habitats and development of plans to minimize adverse effects from climate change;
- Development of guidance by the California Department of Public Health by September 2010 for use by local health departments to assess adaptation strategies;
- Amendment of Plans to assess climate change impacts and develop local risk reduction strategies by communities with General Plans and Local Coastal Plans; and
- Inclusion of climate change impact information into fire program planning by State firefighting agencies.

Senate Bill 375

SB 375 requires metropolitan regions to adopt transportation plans and sustainable communities strategy that reduce vehicle miles travelled. In accordance with SB 375, SCAG prepared and adopted the 2024 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) with the primary goal of enhancing sustainability by increasing mobility through various public transit options, increasing the number and variety of housing options to meet the demands of the growing population, creating more compact communities while decreasing urban sprawl, and ensuring people are able to live closer to work, school, and recreation uses.

Senate Bill 97

In August 2007, the Legislature adopted Senate Bill 97 (SB 97), which required the Governor's Office of Planning and Research (OPR) to prepare and transmit new CEQA guidelines for the mitigation of GHG emissions or the effects of GHG emissions to the Natural Resources Agency by July 1, 2009. On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the *State CEQA Guidelines* for greenhouse gas emissions, as required by Senate Bill 97. These proposed *CEQA Guidelines* amendments provided guidance to public agencies regarding the analysis and mitigation of the effects of greenhouse gas emissions in draft CEQA documents. On December 31, 2009, the Natural Resources Agency transmitted the Adopted Amendments and the entire rule-making file to the Office of Administrative Law (OAL). On February 16, 2010, OAL approved the Adopted Amendments and filed them with the Secretary of State for inclusion in the California Code of Regulations. The Adopted Amendments became effective on March 18, 2010.

Senate Bill 32

Senate Bill 32 (SB 32) was signed into law on August 31, 2016. SB 32 bill requires CARB to adopt rules and regulations to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030.

Existing Setting

Greenhouse gas emissions refer to a group of emissions that are believed to affect global climate conditions. These gases trap heat in the atmosphere and the major concern is that increases in GHG emissions are causing global climate change. Global climate change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation, and temperature. Although there is disagreement as to the speed of global warming and the extent of the impacts attributable to human activities, most agree that there is a direct link between increased emission of GHGs and long-term global temperature. What GHGs have in common is that they allow sunlight to enter the atmosphere but trap a portion of the outward-bound infrared radiation and warm up the air. The process is similar to the effect a greenhouse has in raising the internal temperature, hence the name greenhouse gases. Both natural processes and human activities emit GHGs. The accumulation of greenhouse gases in the atmosphere regulates the earth's temperature; however, it is the scientific consensus that emissions from human activities such as electricity generation and motor vehicle operations have elevated the concentration of GHGs in the atmosphere. This accumulation of GHGs has contributed to an increase in the temperature of the earth's atmosphere and contributed to global climate change.

The principal GHGs are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e).

In response to Executive Order S-3-05, the Secretary of Cal/EPA created the CAT, which, in March 2006, published the first CAT Report (2006 CAT Report). The 2006 CAT Report identified a recommended list of strategies that the State could pursue to reduce climate change GHG emissions. These are strategies that could be implemented by various State agencies to ensure that the Governor's targets are met and can be met with existing authority of the State agencies.

According to the 2010 CAT Report, temperature increases arising from increased GHG emissions potentially could result in a variety of impacts to the people, economy, and environment of California associated with a projected increase in extreme conditions, with the severity of the impacts depending upon actual future emissions of GHGs and associated warming.

In the *CEQA Guidelines* Amendments, a threshold of significance for greenhouse gas emissions was not specified, nor does it prescribe assessment methodologies or specific mitigation measures. Instead, the amendments encourage lead agencies to consider many factors in performing a CEQA analysis and rely on

the lead agencies to make their own significance threshold determinations based upon substantial evidence. The CEQA Amendments also encourage public agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses.

There are several unique challenges to analyzing greenhouse gas emissions and climate change under CEQA, largely because of climate change's "global" nature. Typical CEQA analyses address local actions that have local – or, at most, regional – impacts, whereas climate change presents the considerable challenge of analyzing the relationship between local activities and the resulting potential, if any, for global environmental impacts. Most environmental analyses examine the "project-specific" impacts that a particular project is likely to generate. With regard to global warming, however, it is generally accepted that while the magnitude of global warming effects may be substantial, the GHG emissions from a single general development project would have no noticeable effect on global climate.

For greenhouse gas emissions and global warming, there is not, at this time, one established, universally agreed-upon "threshold of significance" by which to measure an impact. While CARB published some draft thresholds several years ago, they were never adopted, and CARB recommended that local air districts and lead agencies adopt their own thresholds for GHG impacts.

Discussion of Potential Project Impacts

a, b) Less than Significant Impact. The *CEQA Guidelines* provide that, when available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make determinations of significance for greenhouse gas emissions. Neither the City of Ventura nor the VCAPCD have adopted any specific thresholds of significance for construction or operational GHG emissions.

Given that Ventura County is adjacent to the SCAQMD jurisdiction and is a part of the SCAG region, VCAPCD staff believes it makes sense to set a local GHG emission threshold of significance for land use development projects at levels consistent with those set by the SCAQMD and the SCAG region. VCAPCD believes that adopting harmonized regional GHG emission thresholds would help streamline project review and encourage consistency and uniformity in the CEQA analysis of GHG emissions throughout most of Southern California. Therefore, the SCAQMD thresholds are used for the purposes of this analysis to be consistent.

The SCAQMD has adopted interim thresholds using a tiered approach. The interim approach as most recently updated in December 2008 is as follows:²⁰

- **Tier 1:** consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA. For example, SB 97 specifically exempts a limited number of projects until it expires in 2010. If the project qualifies for an exemption, no further action is required. If the project does not qualify for an exemption, then it would move to the next tier. Tier 2: Is the project's GHG emission within the GHG budgets in an approved regional plan? (The plan must be consistent with *State CEQA Guidelines* §§15064(h)(3), 15125(d), or 15152(s).) If yes, there is a presumption of less than significant impacts with respect to climate change.
- **Tier 2:** consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing concept of consistency in *CEQA Guidelines* §§15064(h)(3), 15125(d), or 15152(a). The GHG reduction plan must, at a minimum, comply with AB 32 GHG reduction goals; include emissions estimates agreed upon by either CARB or the AQMD, have been analyzed under CEQA, and have a certified Final CEQA document. Further, the GHG reduction plan must include a GHG emissions inventory tracking mechanism; process to monitor progress in achieving GHG emission reduction targets, and a commitment to remedy the excess emissions if GHG reduction goals are not met (enforcement). If the proposed project is consistent with the qualifying local GHG reduction plan, it is not significant for GHG emissions. If the project is not consistent with a local - 5- GHG reduction plan, there is no approved plan, or the GHG reduction plan does not include all of the components described above, the project would move to Tier 3. Tier 4: Does the project meet one of the following performance standards? If yes, there is a presumption of less than significant impacts with respect to climate change.
- **Tier 3:** Establishes a screening significance threshold level to determine significance using a 90 percent emission capture rate approach as described above. The 90 percent capture rate GHG significance screening level in Tier 3 for stationary sources was derived using the following methodology. Using AQMD's Annual Emission Reporting (AER) Program staff compiled reported annual natural gas consumption for 1,297 permitted facilities for 2006 through 2007 and rank-ordered the facilities to estimate the 90th percentile of the cumulative natural gas usage for all permitted facilities. Approximately 10 percent of facilities evaluated comprise more than 90 percent of the total natural gas consumption, which corresponds to 10,000 metric tons of CO₂ equivalent

²⁰ South Coast Air Quality Management District, *Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans*. Available online: [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2)

emissions per year (MTCO₂eq/year) the majority of combustions emissions is comprised of CO₂. This value represents a boiler with a rating of approximately 27 million British thermal units per hour (mmBtu/hour) of heat input, operating at an 80 percent capacity factor. It should be noted that this analysis did not include other possible GHG pollutants such as methane, N₂O; a life-cycle analysis; mobile sources; or indirect electricity consumption. Therefore, when implemented, staff's recommended interim proposal is expected to capture more than 90 percent of GHG emissions from stationary source projects. If the project exceeds the GHG screening significance threshold level and GHG emissions cannot be mitigated to less than the screening level, the project would move to Tier 4.

- **Tier 4:** consists of a decision tree approach that allows the lead agency to choose one of three compliance options based on performance standards. The purpose of Tier 4 is to provide a means of determining significance relative to GHG emissions for very large projects that include design features and or other measures to mitigate GHG emissions to the maximum extent feasible, but residual GHG emissions still exceed the interim Tier 3 screening levels. In this situation, since no additional project-related GHG emission reductions are feasible, staff is considering whether it is reasonable to consider that residual emissions are not significant. The intent of the Tier 4 compliance options is to encourage large projects to implement the maximum feasible GHG reduction measures instead of shifting to multiple smaller projects that may forego some design efficiencies that can more easily be incorporated into large projects than small projects. CARB's interim GHG significance threshold proposal incorporates a similar, but modified approach for determining GHG significance along with other suggested approaches that may have merit to consider and incorporate into AQMD staff's recommended interim proposal. There are also policy and legal questions that need to be further resolved before adopting such an approach.
- **Tier 5:** under this tier, the project proponent would implement offsite mitigation (GHG reduction projects) to reduce GHG emission impacts to less than the proposed screening level. Any offsite mitigation measures that include purchase of offsets would require the project proponent provide offsets for the life of the project, which is defined as 30 years. If the project proponent is unable to implement offsite GHG reduction mitigation measures to reduce GHG emission impacts to less than the screening level, then GHG emissions from the project would be considered significant. Since it is currently uncertain how offsite mitigation measures, including purchased offsets, interact with future AB 32 Scoping Plan measures, the AQMD would allow substitution of mitigation measures that include an enforceable commitment to provide mitigation prior to the occurrence of emissions. The intent of this provision is to prevent mitigating the same emissions twice.

The SCAQMD has not announced when or if, in light of recent CEQA case law, staff is expecting to present a finalized version of these thresholds to the Governing Board for consideration. The SCAQMD has adopted Rules 2700, 2701, and 2702 that address GHG reductions; however, these rules are currently applicable to boilers and process heaters, forestry, and manure management projects. Further, recent case law muddled the methodology for determining significance in CEQA documents. Specifically, courts have indicated that comparing reductions to the reductions necessary in the scoping plan may not be a suitable method of analysis. While the scoping plan provides statewide targets, it may be that some projects need to exceed the proposed statewide target while some projects will likely fall short.

The Tier 3 threshold is also used in the analysis as projects that do not exceed the thresholds would not be considered to have a significant impact on the attainment of air quality goals and would, therefore, be considered to be consistent with the current air quality plan.

Construction

Construction GHG emissions include emissions from construction equipment, heavy trucks, and worker trips. Construction emissions are often amortized over a 30-year period to account for the contribution of construction emissions over the lifetime of the project and then added to a project's operational emissions to account for the contribution of construction to GHG emissions for the project lifetime. However, because the Project would not increase operational GHG emissions, this analysis conservatively compares annual construction GHG emissions to the threshold of significance without amortization. Project GHG emissions estimates assume a construction year of 2026 as shown in **Table 5** and **Appendix A**.

Table 5
Estimated Project Construction GHG Emissions

Emission Source	Annual Emissions (Metric tons CO₂e per year)
On Land Construction Equipment	111.1
Harbor Craft	45.4
Haul Trucks	256.2
Worker Automobiles	30.0
Total Project CO₂ Equivalent Emissions	446
Significance Threshold	10,000
Significant?	No

*Source: CalEEMod Version 2022.1 and SMAQMD Harbor Craft, Dredge, and Barge Emission Factor Calculator. Note: Values may differ slightly from estimates shown in **Appendix A** due to rounding.*

As shown in **Table 4**, Project GHG emissions would not exceed the significance threshold of 10,000 metric tons of CO₂e per year. Therefore, the Project would result in a less than significant impact.

Operation

Direct emissions of GHG from operation of the Project are primarily due to natural gas consumption and mobile source emissions. The Project's operational GHG impacts would be no greater than its existing operational GHG emissions, as the Project proposes to redevelop the existing docks. The Project's on-site operational GHG impact would be considered less than significant.

The City of Ventura, the Ventura Port District, nor the VCAPCD have adopted a plan, policy, or regulation for the purpose of reducing emissions of GHGs. This section will address the Project's consistency with other regional and statewide plans and policies adopted for that purpose.

AB 32 (Health and Safety Code Section 38500 et. Seq.) mandated a reduction in the state's GHG levels. Local agencies such as the SCAQMD base their planning and regulations on the requirements included in AB 32, which include a reduction of GHG emissions to 1990 rates by 2020. The SCAQMD adopted the GHG significance threshold specifically to meet AB 32 requirements within its jurisdiction, so plans and projects that meet that threshold can be assumed to meet the requirements of AB 32.

The Project is limited to dock replacement. The Project would reduce the total number of boat slips located at Parcel 17. Thus, the Project would not interfere with SCAG's goals of identifying regional strategic areas for infill, structuring a plan on a three-tiered system of centers development, or developing "Complete Communities."

Furthermore, the Project would not affect single-family homes, liveaboards or other residences in the area.

Other applicable plans related to reducing greenhouse gases are listed in **Table 6, Consistency with Applicable Greenhouse Gas Reduction Strategies.**

Table 6
Consistency with Applicable Greenhouse Gas Reduction Strategies

Source	Category/Description	Consistency Analysis
AB 1493 (Pavley Regulations)	Reduces GHG emissions in new passenger vehicles from 2012 through 2016. Also reduces gasoline consumption to a rate of 31 percent of 1990 gasoline consumption (and associated GHG emissions) by 2020	Consistent. The Project would not conflict with implementation of the vehicle emissions standards.
Executive Order S-3-05	Establishes the following GHG emission reduction targets: <ul style="list-style-type: none"> By 2010 reduce GHG emissions to 2000 levels By 2020 reduce GHG emissions to 1990 levels By 2050 reduce GHG emissions to 80 percent below 1990 levels 	Consistent. The Project would not prohibit the state from reaching these targets.
SB 1368	Establishes an emissions performance standard for power plants within the State of California.	Consistent. The Project would not conflict with implementation of the emissions standards for power plants.
SB 375	Supports the state's climate actions goals to reduce GHG emissions through coordinated transportation and land use planning with the goal of more sustainable communities. Under SB375 the California Air Resources Board set regional targets for GHG emissions reductions from passenger vehicle use.	Consistent. The Project would not conflict with the implementation of passenger vehicle emission reduction measures.
Executive Order B-30-15	Establishes a state GHG reduction target of 40 percent below 1990 levels by 2030.	Consistent. The Project would not prohibit the state from reaching the 2030 GHG reduction target.
Low Carbon Fuel Standard	Establishes protocols for measuring life-cycle carbon intensity of transportation fuels and helps to establish use of alternative fuels.	Consistent. The Project would not conflict with implementation of the transportation fuel standards.

At buildout, the Project would result in direct annual emissions of GHGs during operation. Direct emissions of GHG from operation of the Project are primarily due to natural gas consumption and

mobile source emissions. The Project's operational GHG impacts would likely be similar to existing operational GHG emissions, as the Project proposes to replace the existing docks with approximately the same number of new docks. Thus, the Project would comply with all applicable plans, policies, and programs adopted for the purpose of reducing GHG emissions. The net increase in GHG emissions, direct and indirect, would be consistent with applicable greenhouse gas reduction strategies. Impacts would be less than significant.

9. HAZARDS AND HAZARDOUS MATERIALS

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

Federal

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and Ventura County.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of property. Facilities that are required to participate in the CalARP program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The City of Ventura Fire Department reviews CalARP risk management plans as the Certified Unified Program Agency (CUPA).

State

California Coastal Commission Strategic Plan

The California Coastal Commission Final Strategic Plan (Strategic Plan) was prepared by the California Coastal Commission and adopted on November 6, 2020, for the year 2021 to 2025 period. The Strategic Plan balances the statewide and local interests and protects the state's coastal communities/municipalities by implementing a framework goals and objectives that are expected to be met by the end of the 2021 to 2025 period. These goals and objectives are intended to priorities and guide performance, and set agency are all items that the Commission intends to complete within the next five years.

Hazardous Materials Release Notification Regulations

There are multiple state statutes and regulations that require the notification of a release involving hazardous materials. These statutes and regulation include, but are not limited to, the following:

- California Health and Safety Codes Sections 25270.8, and 25507;
- Vehicle Code Section 23112.5;

- Public Utilities Code Section 7673, (PUC General Orders #22-B, 161);
- Government Code Sections 51018, 8670.25.5 (a);
- Water Codes Sections 13271, 13272; and
- California Labor Code Section 6409.1 (b)10.

California Fire Code

The 2019 California Fire Code (CFC) (Title 24, Part 9 of the California Code of Regulations) is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. This includes regulations in the event of transport, use, and accidental release hazardous materials. Chapter 50 of the CFC outlines the general safety precautions for handling and transporting hazardous materials. Chapter 50 of the CFC also provides coordination standards between the development applicant and the regional/municipal/local fire protection agency.

Local

City of Ventura Emergency Operations Plan

The *City of Ventura Emergency Operations Plan* (EOP, 2021), provides the regulatory framework for the City's response to emergencies associated with natural disasters, including wildland fires. The EOP provides an overview of operational concepts, identifies components of the City's emergency management organization within the Standardized Emergency Management System (SEMS), National Incident Management System (NIMS), and describes the overall responsibilities of the federal, state, local entities for protecting life and property and assuring the overall wellbeing of the population.²¹ Additionally, the City of Ventura Police Department has established emergency evacuation routes for the City.²²

General Plan Policies

The City's *General Plan* includes policies that address the use and exposure of hazardous materials. These policies include, but are not limited to, the following:

Policy 7D: Minimize exposure to air pollution and hazardous substances.

²¹ City of Ventura, *Emergency Operations Plan*, 2021, <https://www.cityofventura.ca.gov/DocumentCenter/View/26922/City-of-Ventura---Emergency-Operations-Plan--Public-Version-5-18-2021?bidId=>, accessed April 7, 2025..

²² City of Ventura Police Department, *Evacuation Orders and Maps*, <https://www.cityofventura.ca.gov/1297/Evacuation-Maps>, accessed April 7, 2025.

City of Ventura Municipal Code

Section 14.050.660, (Liability Unauthorized Release) of the City's Municipal Code requires that any responsible persons or group. This section of the Municipal Code Also requires that the persons or group responsible for works with the City and the City of Ventura Fire Department to remediate the effects of such an authorize release.

Existing Setting

There are no identified underground storage tanks (UST) or aboveground storage tanks (AST) on-site. The nearest airport to the Project Site is Oxnard Airport, located approximately 4.2 miles southeast of the Project Site at 2889 West 5th Street. Per CALFIRE's Fire Hazard Severity Zone (FHSZ) map, the Project Site is not located in a FHSZ.^{23,24}

Discussion of Potential Project Impacts

a) *Less than Significant Impact.* Construction of the Project would involve the use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. However, all hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with Section 1532.1, Title 8 of the CCR and Section 14.050.660 of the City's Municipal Code. Compliance with these regulations would reduce construction impacts to less than significant levels.

There are two fueling locations within the Harbor, however, the Project would include an additional fueling location at the Project Site itself. Additionally, the Project would be required to comply with all applicable regulations outlined in the CFC regarding transport of hazardous waste. All hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with the CCR. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations and would not pose significant hazards to the public or the environment. Therefore, operation impacts related to the transport, use, or disposal of hazardous materials use would be less than significant.

b) *Less than Significant Impact.* Project improvements would not contribute to conditions that could cause a reasonably foreseeable release in hazardous materials. The Project would implement standard

²³ California Department of Forestry and Fire Protection, *Fire Hazard Severity Zones in SRA, Ventura County*, November 7, 2007.

²⁴ California Department of Forestry and Fire Protection, *Very High Fire Severity Zone in LRA, Ventura*, October 6, 2010.

practices to ensure accidents do not occur. These practices include compliance with Section 14.050.660 of the City's *Municipal Code*, best practices implemented by the Ventura Port District, meeting the goals outlined by the Strategic Plan of the California Coastal Commission, and compliance with the CFC. All hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations and would not pose significant hazards to the public or the environment. Therefore, accidents involving the release of hazardous materials impacts related to the transport, use, or disposal of hazardous materials use would be less than significant.

- c) **No Impact.** The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The closest school to the Project Site is Pierpont Elementary School, located approximately 0.90 miles northwest of the Project Site. Additionally, there are no planned public schools within a 0.25-mile distance from the Project Site.²⁵ As such, no impact would occur.
- D) **No Impact.** The Project is not located on a site that is included on a list of hazardous materials pursuant to Government Code 65962.5.²⁶ Therefore, no impact would occur.
- e) **No Impact.** The Project is not located within an airport land use plan and there are no public or private airports or airstrips within two miles of the Project Site. The closest airport to the Project is Oxnard Airport, located approximately 4.2 miles southeast of the Project Site. Therefore, no impact would occur.
- f) **No Impact.** The Project is not located in close proximity to the existing evacuation routes designated by the Emergency Operations Plan. Due to the nature of the Project's construction activities, and the fact that all construction would be contained on the Project Site, the construction phase of the Project would not block existing driveways and emergency routes. As such, construction activities would not conflict with the evacuation guidelines outlined in the Emergency Operations Plan. The proposed uses and features under the Project would be similar to existing uses on-site. The Project is not expected to impede any of the existing emergency evacuation routes on-site off-site as it would be similar to

²⁵ Ventura Unified School District, 2022-23 *Local Control and Accountability Plan*, https://resources.finalseite.net/images/v1654609441/venturausdorg/lmyxjl3l94jo2xluoawk/2022_Local_Control_and_Accountability_Plan_Ventura_Unified_School_District_20220607.pdf, accessed April 7, 2025.

²⁶ California Environmental Protection Agency, Cortese List Data Resources, <https://calepa.ca.gov/SiteCleanup/CorteseList/>, accessed on April 7, 2025.

existing conditions. Therefore, the Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur.

- g) **No Impact.** The Project Site is not located in a wildland fire hazard zone.²⁷ The Project Site is in an urbanized area within the Ventura Harbor. Thus, the Project would not expose persons or structures to wildfire hazard risks. No impact would occur, and no further analysis is necessary.

²⁷ California Department of Forestry and Fire Protection, Very High Fire Severity Zone in LRA, Ventura, October 6, 2010

10. HYDROLOGY AND WATER QUALITY

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal

Clean Water Act

The Clean Water Act (CWA) is the principal law governing pollution of the nation's surface waters. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations. Section 401 of the CWA requires states to certify that any activity subject to a permit issued by a federal agency, such as the United States Army Corps of Engineers (USACE), meets all state water quality standards. Section 402 of the CWA details the acceptable permits for the discharge of pollutants on an industry basis. The CWA also provides the regulatory and legal framework for several water quality regulations: including the National Pollutant Discharge Elimination System (NPDES). Section 404 of the CWA regulates navigable waters where fill material (discharge) is proposed below the ordinary high water mark. Section 404 prohibits the discharge of dredged or fill materials into Waters of the United States or adjacent wetlands without a permit from the USACE.

National Pollutant Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) is the federal permitting program for discharge of pollutants into surface waters of the United States under CWA Section 402. Industrial and point source discharges must obtain NPDES permits from the Regional Water Quality Control Board of its jurisdiction. Proposed NPDES stormwater regulations expand this existing national program to smaller municipalities with populations of 10,000 persons or more and construction sites that disturb more than one acre.

Rivers and Harbors Act

The Rivers and Harbor Act is the initial authority for the USACE regulatory permit program to protect navigable waters in the development of harbors and other construction and excavation. Section 10 of the Rivers and Harbor Act requires all harbor waterways to be subject to USACE jurisdiction.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify

Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

State

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction. The CGP includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges. Additionally, the CGP requires the installation and maintenance of BMPs to protect water quality until the site is stabilized. As such, the Project will disturb more than one acre of soil and would be subject to the CGP.

Regional and Local

Los Angeles Regional Water Quality Control Board

The City of Ventura is within the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB). The LARWQCB develops and enforces water quality objectives and implementation plans that safeguard the quality of water resources in its region. Duties include “basin plans” for its hydrologic area, issuing waste discharge requirements, taking enforcement action against violators, and monitoring water quality. In this case, the LARWQCB adopted the *Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* in 2014.

County of Ventura Stormwater Quality Management Program

The Ventura Countywide NPDES Municipal Separate Storm Sewer System (MS4) Permit (Ventura County MS4 Permit) Order R4-2010-0108 regulates all MS4 discharges within the County’s jurisdiction. The County’s MS4 Permit includes provisions for implementing low impact development (LID) practices and standards for stormwater pollution mitigation. LID is a stormwater management strategy with goals to mitigate the impacts of increased runoff and stormwater pollution as close to its source as possible.

The Project Site consists of, but is not limited to, ditches, man-made channels, and storm drains.²⁸ The City's Development Construction Program requires all construction or demolition activities, clearing, grading, grubbing, or excavation or any other activity that results in a land disturbance are required to implement an effective combination of stormwater pollution controls to prevent erosion, sediment loss, and the discharge of waste.²⁹

City of Ventura Urban Water Management Plan

The 2020 *Urban Water Management Plan for the City of Buenaventura (UWMP)* (May 2021) addresses the current and projected supply and demand for potable water in the City of Ventura. According to the *UWMP*, multiple resources are utilized for the City's water system. These resources include, but are not limited to, the Mound Groundwater Basin, the Oxnard Plain Groundwater Basin, and the Santa Paula Groundwater Basin.

City of Ventura Municipal Code

Chapter 8.6 (Stormwater Quality Management) of the City's *Municipal Code* establishes stormwater management practices or technical requirements for existing and/or new development within the City. The Chapter requires that all construction activity including clearing, grading or excavation that requires a grading permit will be undertaken in accordance with regional, state, and federal regulatory requirements (i.e., LARWQCB, NPDES).

Existing Setting

Receiving waters that occur within the Ventura Harbor are primarily from the Pacific Ocean. The Project Site is located within the Santa Clara Valley Mound Groundwater Basin.³⁰ However, there are no groundwater monitoring wells on-site or within 0.5-mile radius from the Project Site.³¹

²⁸ FILL City of Ventura, *MS4 Permit*, <https://www.cityofventura.ca.gov/1301/MS4-Permit>, *MS4 Permit*, accessed April 7, 2025.

²⁹ FILL City of Ventura, *MS4 Permit*, <https://www.cityofventura.ca.gov/1301/MS4-Permit>, *MS4 Permit*, accessed April 7, 2025.

³⁰ California Department of Water Resources, *SGMA Basin Prioritization Dashboard*, <https://gis.water.ca.gov/app/bp-dashboard/final/>, accessed April 7, 2025.

³¹ United States Geological Survey, *National Water Information System*, <https://maps.waterdata.usgs.gov/mapper/index.html>, accessed April 7, 2025.

According to the FEMA's Flood Map, the Project site is located within FEMA flood panel 06111C0882F.³² The Flood Map indicates that the Project Site is located within Zone AE, meaning that there is a one percent annual chance of flood. Areas within Zone AE are considered Special Flood Hazard Areas subject to inundation by a 100-year flood.³³ According to the 2005 General Plan EIR, the Project Site is located within the potential dam inundation area for the Bouquet Dam. Additionally, the Project Site is located within a Tsunami Risk Area.

Discussion of Potential Project Impacts

a) *Less than Significant Impact with Mitigation Incorporated.* The Project Site is currently developed with the existing boat docks and slips. Project operations would not result in an increase in the amount of impervious surfaces compared to existing conditions and in fact would reduce the amount of overwater coverage compared to existing conditions. Nevertheless, the Project would continue to implement the existing stormwater control operations that are currently being utilized for the existing docks.

Construction activities related to the proposed replacement may result in temporary disturbance of the surface waters on-site and may temporarily degrade water quality. Nevertheless, because the Project would disturb more than one acre, the Project Applicant would be required to comply with NPDES and LARWQCB requirements and apply for a CGP. The Project would also prepare a Stormwater Pollution Prevention Plan (SWPPP) to mitigate the potential effects of erosion and the potential for sedimentation and other pollutants entering the stormwater system and harbor waters during construction. In accordance with the CGP requirements, the Project would incorporate structural and non-structural BMPs (ex., filtration devices), that intercept stormwater and prevent pollutants from discharging into the storm drain system. The Project Applicant would accordingly be subject to the requirements of the Ventura County MS4 permit, which establishes limits for the concentration of contaminants entering the storm drain system and requires BMPs to be implemented to further reduce stormwater pollution and runoff from construction activities. Applicable BMPs for the Project may include the following:

- No contamination by cement, concrete, asphalt, washings, paint, etc. is permitted. Hazardous materials shall not be placed where they may accidentally spill or run off into the Harbor.

³² Federal Emergency Management Agency, *Flood Map Service Center*, https://msc.fema.gov/arcgis/rest/directories/arcgisjobs/nfhl_print/mscprintb_gpserver/j6313d91c4fa9407db6e3bc1a0c7ec2d9/scratch/FIRMETTE_cbc6173f-7088-4723-b33f-4a4588394f9d.pdf, accessed April 7, 2025.

³³ Federal Emergency Management Agency, *Flood Zones*, Available online at: <https://www.fema.gov/glossary/flood-zones>, accessed April 7, 2025.

- No debris, soil, construction materials, concrete wash water, fluids, etc. shall be placed where they may be washed by rainfall or runoff into the Harbor.
- Harbor water may not be used for any construction activity (e.g., dust control and concrete mix).
- Stationary equipment (motors, pumps, generators, welders) located adjacent to the Harbor must be positioned over drip pans.
- Oil absorbent pads must be onsite at all times in case of a spill. Spills shall be cleaned up immediately.
- Equipment and vehicles should be regularly checked and properly maintained to prevent leaks.
- Staging, storage, fueling, and maintenance of equipment/vehicles shall occur as far away as possible from the Harbor water.
- Stockpiles must be covered during construction.

In addition, the Project would implement **Mitigation Measures MM HYD-1** through **MM HYD-2**. Adherence to federal, state, and regional regulations as well as the implementation of Mitigation Measures **MM HYD-1** and **MM HYD-2** would reduce the Project's construction-related impacts to less than significant levels.

Mitigation Measures

MM HYD-1 Prior to the initiation of construction activities the Project Applicant shall implement trash excluders within existing stormwater inlets on-site to reduce the level trash outflow. The proposed trash excluders shall be subject to approval by the City of Ventura City Engineer.

MM HYD-2 During construction, the Project Applicant or its designee shall employ the following measures to ensure erosion and siltation impacts do not occur. The following specifications shall be included on all construction drawings:

- For the duration of the Project's construction activities, all waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable

materials/wastes shall be taken to an appropriate landfill. Toxic waste must be discarded at a licensed regulated disposal site.

- For the duration of the Project's construction activities, all vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop cloths shall be used to catch drips and spills.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff spillage to the stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- Any connection to the sanitary sewer shall have authorization from the City of Ventura Public Works Department.
- Storage areas shall be paved and sufficiently impervious to contain leaks and spills.
- All catch basins in and adjacent to the staging area shall be covered to reduce the potential for sediment entering the storm drain system.

b) *Less than Significant Impact.* As discussed above, the Project Site is located above a groundwater basin. However, the Project would not install any groundwater wells, would not require the use of groundwater for new residential or commercial uses, and would not otherwise directly withdraw any groundwater. Thus, the Project would not substantially deplete groundwater supply, nor would the Project interfere with groundwater recharge. Impacts would be less than significant.

c)

i) *Less than Significant Impact with Mitigation.* Construction activities associated with the Project would involve soil disturbance through minor excavating, grading on-site, and trenching for infrastructure improvements. This would result in soil exposure which could lead to mobilization by rainfall/runoff and/or wind as these are the primarily modes of sediment releases. Thus, Project-related construction activities could substantially increase on-site erosion and siltation.

As discussed above, the Project would comply with the regulations outlined by the LARWQCB's CGP and the County's MS4 pertaining to impacts to the water quality surface waters. Specifically,

the Project would prepare a SWPPP and select and implement BMPs to adequately offset the increase in erosion and sedimentation caused by the Project. BMPs would be included based on Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT). Adherence to these regulations, as well as the implementation of **Mitigation Measure MM HYD-2** would reduce the Project's impacts to erosion and siltation to less than significant levels.

ii, iii, iv) Less than Significant Impact with Mitigation Incorporated. The Project Site is generally flat and is located within an urbanized area. According to FEMA, the Project Site is located within a Special Flood Hazard Area subject to inundation by a 100-year flood. Therefore, the Project Site is vulnerable to substantial flooding.

As discussed, Project-related construction activities would contribute to the existing runoff on-site and off-site. Thereby increasing the likelihood of on-and-off-site flooding. However, this increase would be temporary in nature and cease upon completion of construction activities. The Project would also comply with NPDES and LARWQCB requirements and apply for a CGP permit and apply applicable BMPs (i.e., biofiltration retentions) that would reduce the amount of run-off generated. Last, the Project would implement **Mitigation Measures MM HYD-1** and **MM HYD-2** to further reduce impacts related to stormwater runoff from construction activities. Therefore, the Project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Less than significant impacts would occur.

d) Less than Significant Impact. The topography of the Project Site is relatively flat and would not be susceptible to mudslides or mudflows. However, due to its location, the Project Site is at risk for tsunami and dam inundation.

The Project would not introduce new habitable structures that would increase the risk of loss, injury or death involving flooding as a result of a tsunami or failure of a dam. Project operations would mainly remain similar to existing conditions. Additionally, the Project would comply with federal, state and regional regulation pertaining to pollution control, such as obtaining a CGP and the preparation of an SWPPP that addresses stormwater pollution risks as a result of tsunami and dam inundation. Adherence to these regulations would reduce the Project's impact from inundation to less than significant levels.

- e) Less than Significant Impact.* The Project would not include the direct extraction of groundwater. Therefore, the Project would not interfere with or obstruct implementation of water quality standards or substantially degrade surface or ground water quality. Less than significant impacts would occur.

11. LAND USE AND PLANNING

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

State

California Coastal Act

The California Coastal Act of 1976 (Coastal Act) was created to: (1) protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; (2) assure orderly, balanced utilization and conservation of coastal zone resources taking into account social and economic needs; (3) maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners; (4) assure priority for coastal-dependent and coastal-related development over other development on the coast; and (5) encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone. The Coastal Act requires all cities located within the Coastal Zone to adopt a Local Coastal Program (LCP). The LCP is used by cities to regulate local land uses and development in a manner that is consistent with the goals of the Coastal Act. Specifically, LCPs identify the location, type, densities, and other land use policies for future development within the Coastal Zone of a City or jurisdiction.

California Coastal Commission

The California Coastal Commission was established by voter initiative in 1972 (Proposition 20) and later made permanent by the Legislature through adoption of the Coastal Act. The mission of the Coastal Commission is to protect, conserve, restore, and enhance environmental and human-based resources of the

California coast and ocean for environmentally sustainable and prudent use by current and future generations.

In coordination with coastal cities and counties, the Coastal Commission plans and regulates the use of land and water within the “Coastal Zone.” The Coastal Zone includes all offshore islands and extends approximately three miles offshore. Development activities that generally require a coastal permit from either the Coastal Commission or the local government include the proposed construction of buildings, division of land, and activities that propose to change either the intensity of a land use or public access to coastal waters.

Local

General Plan Policies

The City’s *General Plan* included policies pertaining to land use that are applicable to the Project. These policies include, but are not the following:

Policy 3A: Sustain and complement cherished community characteristics.

City of Ventura Municipal Code-Zoning Designation

The Project is zoned-Harbor Commercial (H-C). According to Chapter 24.238 (H-C Harbor Commercial) of the City’s *Municipal Code*, the Harbor Commercial zoning is primarily designed to provide an area in which coastal dependent, coastal-related, recreational, visitor serving, recreational boating, and commercial fishing facilities are emphasized and located to function safely, efficiently, and harmoniously. Uses under the Harbor Commercial Zone are also intended to provide visitor and recreational facilities serving low and moderate-income persons. Permitted uses include, but are not limited to, community meeting, dining establishments, and boating and harbor activities (i.e., boat building or repair, commercial boating, and boat slips).

Existing Setting

The Project Site primarily consists of the existing Ventura West Marina associated harbor docks. Under the California Coastal Act, the Project Site is located within the Coastal Zone for the City of Ventura. The Project Site is designated Commerce and zoned Harbor Commercial. The Commerce land use designation and the Harbor Commercial zoning continue north and south of the Project Site and are both designated for the entire Ventura Harbor. Land uses west of the Project Site, across from Spinnaker Drive are designated by the General Plan as Park and Open Spaces and zoned by the City as Parks.

Discussion of Potential Project Impacts

- a) *Less than Significant Impact.* The Project would not include any physical features that would physically divide the community (e.g., blocking of roadways or sidewalks). The Project would not result in any physical division of existing residents as no new structures would be built. As such, impacts would be less than significant.
- b) *Less than Significant Impact.* Listed below are all applicable land use plans, policies, and regulations for the Project.

City of Ventura

The Project would not alter the existing land uses on-site. Rather, it involves improvements and upgrades to the existing docks. The Project would not alter the existing character of the Project Site, as it would be a continuation of existing uses; accordingly, the Project would be consistent with applicable *General Plan* policies. Additionally, per Chapter 24.238 of the *Municipal Code*, the proposed improvements are permitted uses for Harbor Commercial zones.

California Coastal Act

As discussed below, the Project Site is located within the coastal zone for the City of Ventura. **Table 7, Project Consistency with the Applicable California Coastal Act Policies**, details the Project's consistency with applicable policies of the Coastal Act for the purpose of avoiding and/or mitigating an environmental impact.

Table 7
Project Consistency with the Applicable California Coastal Act Policies

California Coastal Act Component	Project Consistency Analysis
<p>Article 2, Public Access: Article 2 coastal access policies include, but are not limited to, the following:</p> <ol style="list-style-type: none"> (1) Access must be provided to coastal resources (Section 30210); (2) New development shall not interfere with existing public access to coastal resources (Section 30211); and (3) Public access shall be provided in specific situations involving new development between the nearest public roadway and the shoreline (Section 30212). 	<p>Consistent. The Project primarily involves dock replacements. The Project would not limit or interfere with public access to coastal resources or recreational activities or facilities. Rather, the proposed improvements would improve coastal access and upgrade outdated design. These improvements include increases to slip sizes to allow for larger, more modern boats. As such the Project is consistent with this policy.</p>
<p>Article 3, Recreation: Article 3 includes, but is not limited to, policies regulating the following recreational activities and facilities:</p> <ol style="list-style-type: none"> (1) Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas (Section 30220); (2) Oceanfront land suitable for recreational use (Section 30221); (3) Private lands suitable for visitor-serving commercial recreational facilities (Section 30222); and (4) facilities designed to enhance recreational boating use of coastal waters (Section 30224). 	<p>Consistent. The Project includes redevelopment of the waterside 12.5 acres of Parcel 17. The Project includes the replacement of the existing aged docks and pilings with new docks and pilings. The Project also includes the replacement and upgrade of the existing facilities. Once completed, the Project would increase public access.</p>
<p>Article 4, Marine Environment: Article 4 of the Coastal Act is designed to maintain, enhance, and restore marine resources. More specifically, Article 4 includes, but is not limited to, policies intended to achieve the following:</p> <ol style="list-style-type: none"> (1) Maintenance of the biological productivity and quality of coastal waters, streams, wetlands, estuaries, and lakes (Section 30231); and (2) Protection of commercial fishing and recreational boating facilities (Section 30234). 	<p>Consistent. As discussed in the Biological Resources section, the Project would implement Mitigation Measures MM BIO-1 and MM BIO-2 to ensure that the existing wildlife and habitat within the Project Site would not be significantly impacted. As discussed in the Hydrology and Water Quality Section, the Project would not significantly impact the productivity and quality of coastal waters. Therefore, the Project would not result in the degradation of the local marine environment.</p>
<p>Article 5, Land Resources, Development, and Industrial Development: Article 5 of the Coastal Act applies to development and local regulatory actions that involve environmentally sensitive habitat (Section 30240), the maintenance or conversion of agricultural lands (Section 30241-30243), and archaeological or paleontological resources (Section 30244).</p>	<p>Consistent. The Project would not involve the conversion of agricultural land (see Agricultural and Forest Resources section). The Project would implement Mitigation Measure MM BIO-1. Additionally, the Project would implement Mitigation Measures MM CUL-1 and MM GEO-1 in the event that an archaeological or paleontological resource is discovered on-site during construction activities.</p>

Source: California Coastal Commission

12. MINERAL RESOURCES

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Existing Setting

The Project Site is located within the Ventura Harbor. According to the California Geological Survey (CGS), the Project Site is categorized as Mineral Resource Zone (MRZ) 3a.³⁴ MRZ 3a zones could contain aggregate resources suited for use in Portland Cement Concrete.

Discussion of Potential Project Impacts

a, b) Less than significant. The Project Site is located within an MRZ-3a zone. However, the Project Site is currently developed as a marina and is not known to contain mineral resources. Additionally, the City's *General Plan* has not identified the Project Site and/or the surrounding area as a mineral resource area. Based on the existing recreational use and its location with the harbor, it is unlikely the site would be used for mineral resource extraction in the future. Impacts would be less than significant.

³⁴ California Geological Survey, *Mineral Land Classification of Ventura County Part I*, 1981.

13. NOISE

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

City of Ventura Municipal Code

Chapter 10.650 "Noise Control" of the Ventura Municipal Code (SBMC) contains a number of regulations that would pertain to the Project's temporary construction activities and long-term operations.

Sec. 10.650.130. – Designated Noise Zones

Section 10.650.130 outlines designated noise zones, as well as exterior and interior noise level limits for these zones.

A. Assignment of noise zones. Receiving properties are assigned to designated noise zones as follows in **Table 8, City of Ventura Designated Noise Standards:**

1. Designated noise zone I: Noise sensitive properties.
2. Designated noise zone II: Residential properties.
3. Designated noise zone III: Commercial properties.

4. Designated noise zone IV: Industrial and agricultural properties.

Table 8
City of Ventura Designated Noise Standards

Zone	Land Use	Time Interval	Exterior Noise Levels dB(A)
I	Noise Sensitive Properties	7:00 AM – 10:00 PM	50
		10:00 PM – 7:00 AM	45
II	Residential	7:00 AM – 10:00 PM	50
		10:00 PM – 7:00 AM	45
II	Commercial	7:00 AM – 10:00 PM	60
		10:00 PM – 7:00 AM	55
IV	Industrial/Agricultural	Anytime	70

Source: City of Ventura Municipal Code, Section 10.650.130, Designated Noise Zones

B. Exterior noise levels.

1. Noise zone exterior noise levels. The following exterior noise levels, unless otherwise specifically indicated, shall apply to all receiving properties within a designated noise zone for the purpose of establishing noise level limits in subsection B.2 below:
2. Noise level limits. Unless otherwise provided in this article, no person shall operate or cause to be operated any source of sound at any location within the city, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person which causes the noise level when measured on any receiving property to exceed the following noise level limits:
 - a) The exterior noise levels for that land use, as specified in subsection B.1. above, for a total period of more than 30 minutes in any consecutive 60 minutes;
 - b) The exterior noise levels plus five dB for a total period of more than 15 minutes in any consecutive 60 minutes;
 - c) The exterior noise levels plus ten dB for a total period of more than five minutes in any consecutive 60 minutes; or
 - d) The exterior noise levels plus 15 dB for a total period of more than one minute in any consecutive 60 minutes; or
 - e) The exterior noise levels plus 20 dB for any period of time.

3. Intrusive noise measurement duration. It shall be sufficient for the noise level limits in sections 2.(a), (b), (c) and (d), above, to be measured for no less than one minute of any portion of the periods stated in subsections 2.(a), (b), (c) and (d), provided that any witness to the intrusive noise can testify to the fact that the intrusive noise continued at the same level or greater level than the level measured by the enforcing officer for a period in excess of the period allowed in subsections 2.(a), (b), (c) and (d).
4. Ambient noise level in excess of noise level limit. If the ambient noise level exceeds that permissible for any of the noise level limits in subsections (a), (b), (c) and (d) of subsection 2. above, the noise level limit shall be increased in five dB increments as appropriate to encompass or reflect said ambient noise level. In the event the ambient noise level exceeds the noise level limit in subsection 2.(e) above, this limit shall be increased to the maximum ambient noise level.
5. Boundary between different zones. If the measurement location is on a boundary between two different designated noise zones, the lower noise level limit applicable to the two zones shall apply.
6. Content of intrusive noise. In the event the intrusive noise is judged by the enforcing officer to contain a steady, audible, pure tone such as a whine, screech or hum, or is an impulsive noise, or is a repetitive noise exceeding one second in duration or contains music or speech, the noise level limits set forth in subsection 2. above shall be reduced by five dB.

Sec. 10.650.150. – Special Noise Sources

Section 10.650.150. prohibits noise-generating construction activities located within or adjacent to any residential zone from occurring between the hours of 8:00 P.M. one day and 7:00 A.M. of the next. Though the Project is not located within or adjacent to any residential zone, it is highly unlikely that the Project's construction activities would occur past the hour of 7:00 P.M. on any weekday, or on any weekend.

- A. Radios, television sets and similar devices. No person within any residential zone of the city shall use or operate any radio receiving set, musical instrument, phonograph, television set or other machine or device for the producing or reproducing of sound in such a manner as to create any noise which exceeds the noise level limits of this article.
- B. Machinery, equipment, fans and air-conditioning. No person shall operate any machinery, equipment, pump, fan, air-conditioning apparatus or tool of any nature of similar mechanical device so as to create any noise which exceeds the noise level limits of this article.
- C. Construction of buildings and structures.

1. Between the hours of 8:00 P.M. of one day and 7:00 A.M. of the next, no person adjacent to or within any residential zone in the city shall operate power construction equipment or tools or perform any outside construction or repair work on buildings or structures, or operate any pile driver, steam shovel, pneumatic hammer, steam or electric hoist or other construction device so as to create any noise which exceeds the noise level limits of this article. These specified construction activities are permitted between the hours of 7:00 A.M. and 8:00 P.M. The performance of emergency work is exempt from the provisions of this section.
2. Home repairs and routine maintenance of personal property such as automobiles or boats is not considered construction.
3. The planning commission and city council shall retain the right to impose more restrictive hours of construction upon any projects involving construction activity by adding appropriate conditions to the city's approval of subdivisions, planned development permits, conditional use permits, variances and other projects.

Sec. 10.650.160. – General Noise Regulations

Sec. 10.650.160 of the SBMC is a general noise standard prohibiting noise which unreasonably disturbs peace and quiet or causes discomfort or annoyance.

- A. Unlawful noise. Notwithstanding any other provision of this article, and in addition thereto, it shall be unlawful for any person to make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of ordinary or normal sensitivity residing in the area.
- B. Environmental factors. The environmental factors which may be considered in determining whether a violation of provisions of subsection A. exists includes, but is not limited to, the following:
 1. The sound level of the intrusive noise.
 2. The sound level of the ambient noise.
 3. The proximity of the noise to residential sleeping facilities.
 4. The nature and zoning of the area from which the noise emanates.
 5. The number of persons affected by the alleged intrusive noise.
 6. The time of day or night the noise occurs.
 7. The duration of the noise and its tonal content.
 8. Whether the noise is continuous, recurrent, or intermittent.

Notwithstanding any other provision of this chapter, and in addition thereto, it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary, excessive, or unusual noise which unreasonably disturbs the peace and quiet or which causes discomfort or annoyance to any reasonable person of normal sensitiveness.

The factors which may be considered in determining whether such noise violates the provisions of this section shall include, but are not limited to, the following:

- A. The volume of the noise;
- B. The intensity of the noise;
- C. Whether the nature of the noise is usual or unusual;
- D. Whether the origin of the noise is natural or unnatural;
- E. The volume and intensity of the background noise, if any;
- F. The proximity of the noise to residential sleeping facilities;
- G. The nature and zoning of the area within which the noise emanates;
- H. The density of the inhabitation of the area within which the noise emanates;
- I. The time of the day or night the noise occurs;
- J. The duration of the noise;
- K. Whether the noise is recurrent, intermittent, or constant; and
- L. Whether the noise is produced by a commercial or noncommercial activity.

California Department of Transportation

In 2013, the California Department of Transportation (Caltrans) published the Transportation and Construction Vibration Guidance Manual to aid in the estimation and analysis of vibration impacts. Typically, potential building and structural damage are the foremost concern when evaluating the impacts of construction-related vibrations. **Table 9, Caltrans Building Damage Vibration Guidelines**, summarizes Caltrans's vibration guidelines for building and structural damage.

Table 9
Caltrans Building Damage Vibration Guidelines

Structure and Condition	Significance Thresholds (in/sec PPV)	
	Transient Sources	Continuous/Frequent/ Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: California Department of Transportation, 2013.

Marine Mammal Protection Act – Underwater Sound

Underwater sound is characterized using various physical quantities, including acoustic energy, power, intensity, and pressure. Most commonly, underwater sound is expressed in decibels (dB), which represent a logarithmic ratio relative to a reference pressure. The typical reference pressure for underwater measurements is 1 micro Pascal (μPa), while in air it is 20 μPa . Several sound level metrics are used to evaluate underwater acoustic impacts, including peak sound pressure (Peak), root-mean-square (RMS) pressure, and sound exposure level (SEL).

The primary sounds of concern produced by the Project are from pile driving. Impact pile driving produces impulsive sounds. Vibratory pile installation and removal produces continuous underwater sounds that are considered non-impulsive. This Project proposes to install piles using both vibratory and impact-hammer techniques. The piles will first be vibrated for the first few feet then an impact hammer will be used to reach the final pile tip elevation.

Under the Marine Mammal Protection Act, NMFS has defined levels of harassment for marine mammals. Level A harassment is defined as “Any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal or marine mammals stock in the wild.” Level B harassment is defined as “Any act of pursuit, torment, or annoyance which has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including but not limited to migration, breathing, nursing, breeding, feeding, or sheltering.” Sounds in water and air can cause both Level A and

B harassment. Marine mammals with potential to occur within the vicinity of the Project area are listed within the **Marine Biological Resources Report and Essential Fish Habitat Assessment** for the Project.

To protect fish from pile-driving activities NOAA's NMFS, U.S. Fish and Wildlife Service, Department of Transportation for California, Oregon, and Washington, California Department of Fish and game, and the U.S. Federal Highway Administration agreed upon interim criteria for injury. These criteria have been applied to fish protected under the Endangered Species Act or other fish protected under State laws. The criteria listed in the is for impulse sound types (i.e. impact pile driving) and does not address sound from vibratory driving. The SEL criteria are not applied to vibratory driving sounds for assessing impacts to fish. There are no thresholds for non-impulsive sounds (i.e. vibratory pile driving) that apply to fishes.

Existing Setting

Some land uses are considered more sensitive to ambient noise levels than others due to the amount of noise exposure, in terms of both duration and insulation from noise, and the types of activities typically involved. The Ventura General Plan identifies noise-sensitive receptors as homes, schools, hotels, and hospitals. The nearest noise-sensitive receptors to the Project site are as follows:

- Holiday Inn Express & Suites Ventura hotel is located directly east of the Project site (approximately 50 feet east of the water and the nearest marina dock). The Four Points by Sheraton Ventura Harbor hotel is located approximately 360 feet north of the nearest marina dock.
- Apartments north of the Project site along Navigator Drive. The nearest residence is located approximately 70 feet north of the water and the nearest marina dock.
- Liveaboard boats using the Project site during construction (approximately half of the existing boat slips are liveaboard slips). To be conservative, this analysis assumes liveaboard boats could be as close as 50 feet away from construction activities.

Discussion of Potential Project Impacts

The following is a summary of the Ventura West Marina Redevelopment Project Noise Technical Report.³⁵

a) *Less than Significant Impact with Mitigation Incorporated.*

Construction Noise Impacts to Humans

The noise levels generated by construction equipment would vary greatly depending upon factors such as the type and specific model of the equipment, the operation being performed, and the condition of the equipment. **Table 10, Construction Equipment Noise Levels**, provides the noise levels at 50, 70,

³⁵ See **Appendix D, Noise Technical Report**.

and 360 feet (the distances from the nearby noise sensitive receptors to the nearest existing dock) for expected construction equipment.

Table 10
Construction Equipment Noise Levels

Construction Equipment	L _{MAX} at 50 feet	L _{MAX} at 70 feet	L _{MAX} at 360 feet
Pile Driver (Impact)	101	98	84
Pile Driver (Sonic)	95	92	78
Dump Truck	76	73	59
Crane	81	78	64
Forklift	77	74	60
Gas Support Boat	75-85 ¹	72-82	57-67

1. Based on noise level estimates from Lanpheer, 2000.

An attenuation rate of 6.0 per doubling distance was used to convert the FHWA noise levels at 50 feet to the noise levels at 50, 70, and 360 feet.

Source: Federal Highway Administration (FHWA) Roadway Construction Noise Model User's Guide, 2006.

As discussed above, construction could occur as close as approximately 50 feet away from the nearest hotel and liveaboard boats, and approximately 70 feet away from the nearest residences. When heavy short-term construction (i.e., pile driving) is occurring at 50 feet away from the nearest hotel and liveaboard boats, or 70 feet away from the nearest residences to the north, an increase in the ambient noise levels at these noise-sensitive receptors would occur. However, this increase would be short-term and intermittent and most construction would occur at distances far greater than 50-70 feet away from noise-sensitive receptors. Thus, much of the construction period would likely not result in a noticeable increase in ambient noise at nearby noise-sensitive receptors. Furthermore, construction would be required to comply with the adopted hours of construction in Ventura (7:00 a.m. to 8:00 p.m.). Therefore, construction noise impacts to humans would be *less than significant*. As mentioned previously, there are numerous vessels occupied as long-term residences (i.e., live aboard residences) located within proximity to proposed construction activities which may experience short-term and intermittent noise disturbances. While not required, and as feasible, the Project Applicant will coordinate the temporary relocation of live aboard residences to minimize construction-related noise disturbances.

Construction Noise Impacts to Marine Mammals & Other Species

The primary activities that have potential to elevate underwater sound levels are the removal of existing piles using a vibratory pile driver and the installation of piles using both vibratory and impact

hammer pile drivers. These activities could result in both Level A and B harassment of marine mammals.

A portion of the dock demolition involves removal of 14, 12-inch round steel pipe piles using the vibratory pile driver. The number of 12-inch steel piles proposed for removal is 2 per day. The value of 2 is utilized in the noise analysis as it is the approximate average of 12-inch steel pipe piles occurring across the dock structures. This assumes project demolition would occur in phases where each dock would be removed sequentially where docks 100, 200, 300, 400, 500, 600, and 700 only have a single 12-inch steel pipe pile, dock 800 does not have any 12-inch steel pipe piles, and dock 900 has 7, 12-inch steel pipe piles. Given the existing pile layout, the total number of 12-inch steel piles removed is estimated to be between 2 piles per day and between 1 and 7 piles per week (assuming 5-day work weeks). The remainder of dock demolition involves the removal of 285, 12-inch square concrete piles. The number of 12-inch concrete piles proposed for removal per day is 8. The number of piles removed is estimated to be 8 piles per day, and 40 piles per week (assuming 5-day work weeks). For 12-inch round steel pipe pile and 12-inch square concrete pile removal, it is estimated that 10 minutes of vibration will be required to remove each pile.

Like the removal process, the number of SCH.XH piles installed per day/week would vary based on the difficulty of the installation process in a given area. A total of 90, 12-inch diameter SCH.XH 0.5-inch wall pipe piles and 93, 14-inch diameter SCH.XH 0.5-inch wall pipe piles are proposed for installation to support the proposed dock structure. Generally, the number of SCH. XH piles to be installed per day would be approximately 4 piles per day, and 20 piles per week (assuming 5-day work weeks). For the installation of SCH. XH piles, regardless of size, it is estimated that 10 minutes of vibration will be required followed by pile strikes by hammer. Where the number of pile strikes is estimated to be 480 blows per pile. Pile strikes will be delivered using a diesel generated impact hammer with the ability to generate 1 blow per 1.5 seconds (40 blows per minute).

Table 11, Pile replacement sound generating activities proposed for the Project summarizes the pile replacement activities with potential to generate elevated underwater sound. The actual number of piles removed/installed per day/week would vary based on the difficulty of the removal/installation process in a given area. However, with the implementation of **MM BIO-1** and **MM BIO-2**, as presented in **Section 4, Biological Resources** construction noise-related impacts to marine mammals associated with the Project would be *less than significant with mitigation*

Table 11
Pile replacement sound generating activities proposed for the Project

Removal or Installation	Method	Pile Type	Pile Size	Piles Per Day	Strikes or Minutes/Pile	Condition	Level A Injury Zone (m [ft]) (using SELcum Threshold)					Level B harassment zone RMS
							Cetaceans		Pinnipeds			
							LF	HF	VHF	PW	OW	
Removal	Vibratory	Steel Pipe Pile In Water	12 in	2	10	Unattenuated	1.8 m [5.8 ft]	0.7 m [2.2 ft]	1.4 m [4.7 ft]	2.3 m [7.5 ft]	0.8 m [2.5 ft]	2,154 m [7,068 ft]
						Attenuated	0.8 m [2.7 ft]	0.3 m [1.0 ft]	0.7 m [2.2 ft]	1.1 m [3.5 ft]	0.4 m [1.2 ft]	1,000 m [3,281 ft]
		Concrete square pile in water	12 in	8	10	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Installation	Impact	Steel Pipe Pile In Water	12 in	4	480	Unattenuated	132 m [433 ft]	17 m [55 ft]	204 m [669 ft]	117 m [384 ft]	44 m [143 ft]	136 m [446 ft]
						Attenuated	61 m [201 ft]	8 m [26 ft]	95 m [311 ft]	54 m [178 ft]	20 m [67 ft]	63 m [207 ft]
		Steel Pipe Pile In Water	12 in	4	480	Unattenuated	179 m [588 ft]	23 m [75 ft]	277 m [910 ft]	159 m [522 ft]	59 m [195 ft]	398 m [1,306 ft]
						Attenuated	83.2 m [273 ft]	11 m [35 ft]	129 m [422 ft]	74 m [242 ft]	28 m [90 ft]	185 m [606 ft]
	Vibratory	Steel Pipe Pile In Water	12 in	4	10	Unattenuated	2.8 m [9.2 ft]	1.1 m [3.5 ft]	2.3 m [7.5 ft]	3.6 m [11.8 ft]	1.2 m [4.0 ft]	2,154 m [7,068 ft]
						Attenuated	1.3 m [4.3 ft]	0.5 m [1.6 ft]	1.1 m [3.5 ft]	1.7 m [5.5 ft]	0.6 m [1.8 ft]	1,000 m [3,281 ft]
		Steel Pipe Pile In Water	14 in	4	10	Unattenuated	2.4 m [7.9 ft]	0.9 m [3.0 ft]	2.0 m [6.4 ft]	3.1 m [10.1 ft]	1.0 m [3.4 ft]	1,848 m [6,063 ft]
						Attenuated	1.1 m [3.7 ft]	0.4 m [1.4 ft]	0.9 m [3.0 ft]	1.4 m [4.7 ft]	0.5 m [1.6 ft]	858 m [2,814 ft]

Table 12
Distance to adopted fish thresholds for onset of physical injury and behavior for pile replacement construction activities

Removal or Installation	Method	Pile Type	Pile Size	Piles per Day	Strikes/Duration per Pile	Condition	Distance to Adopted Fish Thresholds Onset of Physical Injury SEL _{cum} Isopleth			
							Peak Isopleth	Fish ≥ 2g	Fish < 2g	Behavior (RMS Isopleth)
Removal	Vibratory	Steel pipe pile in water	12-inch	2	10 min	Unattenuated	N/A	N/A	N/A	21.5 m [70.7 ft]
						Attenuated	N/A	N/A	N/A	10.0 m [32.8 ft]
		Concrete square pile in water	12-inch	8	10 min	N/A	N/A	N/A	N/A	N/A
Installation	Impact	Steel pipe pile in water	12-inch	4	480 strikes	Unattenuated	1.2 m [3.8 ft]	71.7 m [235.2 ft]	132.5 m [434.7 ft]	631.0 m [2,070.1 ft]
						Attenuated	0.5 m [1.8 ft]	33.3 m [109.2 ft]	61.5 m [201.8 ft]	292.9 m [960.8 ft]
		Steel pipe pile in water	14-inch	4	480 strikes	Unattenuated	3.4 m [11.2 ft]	97.5 m [319.8 ft]	590.9 m [180.1 ft]	1,847.8 m [6,062.5 ft]
						Attenuated	1.6 m [5.2 ft]	45.2 m [148.4 ft]	83.6 m [274.3 ft]	857 m [2,814 ft]

Removal or Installation	Method	Pile Type	Pile Size	Piles per Day	Strikes/Duration per Pile	Condition	Distance to Adopted Fish Thresholds Onset of Physical Injury SEL _{cum} Isopleth			
							Peak Isopleth	Fish ≥ 2g	Fish <2g	Behavior (RMS Isopleth)
Installation	Vibratory	Steel pipe pile in water	12-inch	4	10 min	Unattenuated	N/A	N/A	N/A	21.5 m [70.7 ft]
						Attenuated	N/A	N/A	N/A	10.0 m [32.8 ft]
		Steel pipe pile in water	14-inch	4	10 min	Unattenuated	N/A	N/A	N/A	18.5 m [60.6 ft]
						Attenuated	N/A	N/A	N/A	8.6 m [28.1 ft]

Operational Noise Impacts

Once construction is complete, the total number of boat slips would be reduced by the Project compared to the existing condition. Thus, operational noise would not be expected to increase compared to existing conditions. Therefore, operational noise would result in a *less-than-significant impact*.

- b) **Less Than Significant Impact.** Construction activities have the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and operations involved. At the highest levels of vibration, damage to structures is primarily architectural and rarely results in any structural damage. **Table 13, Vibration PPV Levels during Construction**, shows the estimated PPV at 70 and 130 feet (the distances from the nearest off-site structures to the nearest proposed pile driving location).

Table 13
Vibration PPV Levels During Construction

Construction Equipment	PPV at 70 feet	PPV at 130 feet
Impact Pile Driver (Upper Range)	0.32	0.128
Impact Pile Driver (Typical Range)	0.14	0.054
Vibratory Pile Driver (Upper Range)	0.16	0.062
Vibratory Pile Driver (Typical Range)	0.04	0.014
Loaded Trucks	0.02	0.006
Crane/Reach Lift ¹	0.01	0.002

Source: RCH Group, Ventura West Marina Redevelopment Project Noise Technical Report, May 2025.

As shown in **Table 13**, heavy equipment that is expected to be used for construction would generate PPV levels far below the 0.5 PPV threshold for structural damage. Therefore, the Project would result in a *less-than-significant impact*.

- c) **Less Than Significant Impact.** The Project is not located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The nearest airport is Oxnard Airport (located approximately 4 miles southeast of the Project site). At this distance, airport noise would not expose people residing or working at the Project site to excessive noise levels. Impacts would be *less than significant*.

14. POPULATION AND HOUSING

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the Project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing units, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Southern California Association of Governments

SCAG is the responsible agency for developing and adopting regional housing, population, and employment growth forecasts for local governments from Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties.

Existing Setting

Parcel 17 includes 12.5 acres of waterside amenities which contain the Ventura Harbor West Marina. The adjacent 6-acre landside element contains coastal-related and supportive harbor commercial land uses, marina parking, landscaping, and pedestrian walkways. The Project includes the replacement of the existing aged docks and pilings with new docks and pilings. The Project also includes a change in the total number of boat slips at the Ventura West Marina from 387 slips to approximately 379 slips.

Discussion of Potential Project Impacts

- a) ***Less than Significant Impact.*** The Project does not involve the construction of residential uses. Therefore, the Project would not generate substantial population growth in Ventura Harbor. Impacts would be less than significant.
- b) ***Less than Significant Impact.*** The Project does not include residential uses and no residential uses are located on the Project Site that would be displaced. Therefore, no people or housing units would be permanently displaced as a result of the Project. Impacts would be less than significant.

15. PUBLIC SERVICES

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

State

California Fire Code

The 20 California Fire Code (CFC) (Title 24, Part 9 of the California Code of Regulations) is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. It establishes regulations to safeguard against the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The CFC also establishes requirements intended to provide safety for and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The CFC includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas.

Local

General Plan Policies

The City's *General Plan* policies related to public services and facilities include, are not limited to:

Policy 7C: Optimize firefighting and emergency response capabilities.

Policy 8B: Increase the availability and diversity of learning resources.

Policy 8C: Reshape public libraries as 21st Century learning centers.

Existing Setting

Fire Protection: The Project Site is served by the Ventura City Fire Department (VCFD). The VCFD generally provides fire suppression services. The closest VCFD station to the Project Site is Fire Station 5, located 2.1 miles northeast at 4225 East Main Street. According to the City's General Plan, the VCFD's target response times to emergencies within the Project Site is under five minutes.

Police Protection: The Project Site is served by the Ventura Harbor Patrol (VHP). The VHP enforces boating laws and local ordinances and provides rescue, and emergency medical services, and provides both land and waterside services within the Ventura Harbor.³⁶ The VHP station is located approximately 0.4 miles south of the Project Site at 1603 Anchors Way.

The Project Site is also served by the Ventura Police Department (VPD) for landside police protection services. The VPD is composed of more than 250 police officers, public safety dispatchers, cadets, and volunteers.³⁷ The VPD headquarters are located approximately 2.5 miles northeast of the Project Site at 1425 Dowell Drive.

School Services: The Project Site is located within the Ventura Unified School District (VUSD) boundaries.³⁸ The closest school under VUSD is Pierpont Elementary School, located approximately 0.9 miles northwest of the Project Site.

Parks: The City of Ventura Parks and Recreation Department (Department) provides park and recreational services in the City. The Department is responsible for maintaining and programming the various parks

³⁶ Ventura Port District, *Harbor Patrol*, <https://venturaharbor.com/harbor-patrol/>, accessed September 7, 2022.

³⁷ City of Ventura Police Department, *About The VPD*, <https://www.cityofventura.ca.gov/950/About-The-VPD>, accessed April 8, 2025.

³⁸ Ventura Unified School District, *Ventura Unified School District School Locator*, <https://locator.decisioninsite.com/?StudyID=196118#>, accessed April 8, 2025.

and recreational facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. The closest neighborhood park to the Project Site, Marina Park, is located approximately 0.55 miles north at 2950 Pierpont Boulevard.

Other Public Services: The Ventura County Library (VCL) provides public library services within the City. The VCL location provides several public services, including homework centers, computer stations, color printing, copy and fax machines, and meeting rooms. The closest VCL to the Project Site is the E.P Foster Library, located approximately 2.8 miles northwest at 651 East Main Street.

Discussion of Potential Project Impacts

- a) **Less than Significant Impact.** The Project includes the replacement of the existing aged docks and pilings with new docks and pilings. The Project would result in a decrease in the number of slips and would result in a similar overall layout to existing conditions. The Project would not introduce new habitable structures that would result in the need for additional fire protection services or facilities. Thus, impacts would be less than significant.
- b) **Less than Significant Impact.** The Project would not be expected to increase the frequency or total number of boats accessing the docks which would result in the need for additional police protection personnel. Additionally, the structural integrity of the docks would be improved, which could reduce the need for police, fire or other emergency services compared to the existing conditions. As discussed in **Section 14, Population and Housing**, the Project would not induce population growth in the area. Therefore, impacts would be less than significant.
- c) **No Impact.** Impacts to schools are typically associated with population associated with implementation of a project. As stated previously, the Project does not contain a residential component, and no changes to the capacity for liveaboards currently accommodated on the Project Site would occur. As such, the Project would not result in a substantial increase in the student population resulting in the need for new or expanded schools. No impact would occur.
- d) **No Impact.** There is no increase in population anticipated from the Project that would substantially increase demand on local parks such that deterioration of facilities would occur. As deterioration of park and recreational facilities are associated with an increase in permanent population, the incremental and incidental increase of people from the Project is expected to be negligible. Therefore, there would be no impact to existing neighborhood and regional parks.
- e) **No Impact.** Impacts to library services are typically associated with population increases from a project. As stated, the Project does not contain a residential component, and there would be no change to

capacity for liveaboards which could result in an increase in demand for public library services. As such, no impacts would occur.

16. RECREATION

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Existing Setting

The City of Ventura Parks and Recreation Department provides park and recreational services in the City. The Parks and Recreation Department is responsible for maintaining and programming the various parks and recreational facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. The closest neighborhood park to the Project Site, Marina Park, is located approximately 0.55 miles north at 2950 Pierpont Boulevard.

Discussion of Potential Project Impacts

- a) **Less Than Significant Impact.** As discussed in **Section 14, Population and Housing**, the Project would not induce substantial population growth in the area as no residential uses would be introduced. As deterioration of park and recreational facilities are associated with an increase in permanent population, the incremental and incidental increase of people from the Project is expected to be negligible. Therefore, impacts to existing neighborhood and regional parks would be less than significant
- b) **Less Than Significant Impact.** The Project Site is in use as a recreational facility for recreational boaters. The environmental impacts associated with the Project are discussed throughout this document. Impacts would be less than significant.

17. TRANSPORTATION/TRAFFIC

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

State

Senate Bill 743

Senate Bill 743 (SB 743), effective September 2013, established new criteria for determining the significance of transportation impacts that “promote the reduction of greenhouse gas (GHG) emissions, the development of multimodal transportation networks, and a diversity of land uses.” Specifically, SB 743 directed the Governor’s Office of Planning and Research (OPR) to update the *CEQA Guidelines* to replace automobile delay—as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion—with vehicle miles traveled (VMT) as the recommended metric for determining the significance of transportation impacts. OPR has approved the *CEQA Guidelines* implementing SB 743.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to use. *CEQA Guidelines* Section 15064.3(b)(1) describes factors that might indicate whether a development project’s VMT may be significant or not. Notably, projects that are located within one half mile of transit should be considered to have a less than significant transportation impact based on OPR guidance. As of 2025, the City has not adopted its own VMT metric and thresholds or established VMT analysis procedures.

Regional

SCAG Regional Transportation Plan/Sustainable Communities Strategy

On April 4, 2024, the SCAG Regional Council unanimously voted to approve and fully adopt Connect SoCal 2024 Regional Transportation Plan / Sustainable Communities Strategy (Connect SoCal 2024 RTP/SCS).³⁹

Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. It charts a path toward a more mobile, sustainable and prosperous region by making connections between transportation networks, between planning strategies and between the people whose collaboration can improve the quality of life for Southern Californians. In addition, Connect SoCal is supported by a combination of transportation and land use strategies that outline how the region can achieve California's greenhouse gas emission reduction goals and federal CAA requirements. The Connect SoCal 2024 outlines a vision for a more resilient and equitable future, with investment, policies and strategies for achieving the region's shared goals of health, prosperity, accessibility, and connectedness through 2050, with a particular focus on system management, revitalization, and reuse, such as infill development and repurposing underutilized properties. The plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries and more efficient use of resources.

Congestion Management Authority (CMA)

The Ventura County Transportation Commission (VCTC), as a designated Congestion Management Agency (CMA) oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. It is prepared and updated every two years to meet voluntary state congestion management regulations.

Local

City of Ventura Adopted Bicycle Master Plan

The *City of Ventura Adopted Bicycle Master Plan* serves as a planning tool that represents the 20-year long-range bicycle plan for the City. The purpose of the *Bicycle Master Plan* is to recommend bicycle facility,

³⁹ Southern California Association of Governments, *Connect SoCal 2024 RTP/SCS*, 2024. Available online at: <https://scag.ca.gov/sites/main/files/file-attachments/23-2987-connect-socal-2024-final-complete-040424.pdf?1714175547>, accessed March 31, 2025.

program, and policy-oriented improvements that will best serve the community based on an assessment of existing conditions and the desires of the City's residents. The *Bicycle Master Plan* also details the City's existing bicycle network and the proposed bicycle network.

General Plan Policies

The *General Plan* policies related to transportation and circulation are applicable to the Project:

Policy 4A: Ensure that the transportation system is safe and easily accessible to all travelers.

Policy 4C: Increase transit efficiency and options.

Existing Setting

Roadway Facilities

Spinnaker Drive, located west of the Project Site, includes four-lanes with two lanes in each direction. The roadway is not provided a roadway classification under the General Plan, and the posted speed limit is 35 miles per hour (mph).

Bicycle and Pedestrian Facilities

There are no public pedestrian facilities or public bicycle routes on-site. However, there are public sidewalks adjacent to the Project Site. According to the General Plan and the Bicycle Master Plan, Spinnaker Drive is currently designated as a Class II Bicycle Route. Class II Bicycle Routes are defined by the General Plan as corridors expressly reserved for bicycles, existing on a street or roadway in addition to any lanes for use by motorized vehicles.

Public Transit Facilities

Transit services in the City are provided by Gold Coast Transit (GCT).⁴⁰ GCT Routes 6, 10, 11, and 16 provide transit services to the City, with a Route 11 bus stop approximately 1.8 miles northeast of the Project Site, along Market Street. The Ventura County line of the Metrolink and Pacific Surfliner Amtrak rail lines also service the City. The station for both train lines is located approximately 2.9 miles northwest of the Project Site.

⁴⁰ Gold Coast Transit, *Routes and Schedules-All Routes*, <https://www.gctd.org/getting-around/routes-schedules/>, accessed April 7, 2025.

Discussion of Potential Project Impacts

The following Impact analysis is a summary of the Ventura West Marina Redevelopment Project Transportation Impact Study:⁴¹

- a) ***Less Than Significant Impact.*** The Project will reduce the number of existing boat slips from 387 slips to 379 slips. Vehicular access to the existing parcel will not be changed or modified as part of the Project and no frontage improvements or external improvements are included in the Project. Therefore, the Project is not anticipated to make any changes to the adjacent transportation network and will not conflict with any identified program, plan, ordinance, or policy addressing the circulation system. Thus, impacts related to conflict with transportation related plans/policies would be less than significant.
- b) ***Less Than Significant Impact.*** CEQA Guidelines section 15064.3, subdivision (b)(1) - Land Use Projects. Vehicle miles traveled (VMT) exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

In response to the implementation of CEQA Guidelines section 15064.3, subdivision (b), the County of Ventura established the Ventura County CEQA Vehicle Miles Traveled Adaptive Mitigation Program (VMT Adaptive Mitigation Program) approved on May 12, 2023 (provided in **Appendix E**), which outlines recommended impact screening criteria and VMT significance thresholds for lead agencies in the County to utilize to identify VMT related CEQA Impacts. The County's VMT Adaptive Mitigation Program recognizes the California Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) guidelines and includes their identified screening thresholds in the County's guidelines as recommended thresholds for lead agencies in the County.

Project Screening

As noted previously, the VMT Adaptive Program references OPR's Technical Advisory and identifies a series of screening criteria to determine if a project can be screened out from conducting a full VMT analysis based on substantial evidence to show that the projects within these criteria are presumed to have a less than significant impact. The screening criteria that is pertinent to the Project is the

⁴¹ See attached **Appendix E, Transportation Impact Study**.

“Screening Thresholds for Small Projects”, which specifies that projects that generate or attract fewer than 110 trips per day generally may be assumed to generate a less than significant transportation impact.

The Project includes the replacement of the existing aged docks and pilings with new state-of-the-art docks and pilings. Replacing and upgrading the existing facilities, which are nearing the end of their useful life, are needed to ensure the marina's long-term continuation of operations for boaters, visitors and the general public. The improvements of the Project would decrease the number of boat slips on the Project site from 387 slips to 379 slips. As a result, the Project's trip generation is not anticipated to increase or materially change from existing conditions. Since the implementation of the Project is not anticipated to increase or change the travel patterns within the area, nor is it anticipated to result in a net increase of project trips, the Project then falls under the small projects screening threshold and is screened out from conducting a VMT analysis. As such, implementation of the Project will have a less than significant impact related to VMT.

Project Construction

Construction workers VMT is not newly generated; instead, it is redistributed throughout the regional roadway network based on the different work sites in which construction workers travel to each day. Therefore, construction workers are not generating new VMT each day, only redistributing it. It is important to note that construction traffic is temporary and not expected to significantly increase VMT in the region over any length of time. This redistribution is considered to have a nominal and momentary effect on the regional and citywide daily VMT. Consequently, it is assumed that there will be no major changes in regional circulation during construction of the Project, resulting in no impact on conflicts or inconsistencies with CEQA Guidelines section 15064.3, subdivision (b).

- c) ***Less than Significant Impact.*** The Project will not expand the existing slip facilities and will all be contained within the existing harbor. Vehicular access to the existing site will not be changed or modified as part of the Project and no external improvements are anticipated. Since the Project will maintain the current uses on site and does not intend to make any changes to either the public or private transportation network, it will not increase hazards due to a change in geometric design features or through the creation of incompatible uses; thus, impacts would be less than significant.
- d) ***Less than Significant Impact.*** The implementation of the Project is not anticipated to result in any changes to the adjacent transportation network or site access. Additionally, the Project is not anticipated to increase the number of employees or visitors that access the site on a daily basis, nor is it anticipated to change the travel patterns within the City or adjacent areas. Therefore, the

implementation of the Project will not result in inadequate emergency access to the Project Site or any adjacent land uses; impacts related to emergency access would be less than significant.

18. TRIBAL CULTURAL RESOURCES

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Assembly Bill 52 (2014)

The Native American Historic Resource Protection Act (AB 52) took effect on July 1, 2015 and incorporates tribal consultation and analysis of impacts to tribal cultural resources (TCR) into the CEQA process. AB 52 requires TCRs to be analyzed like any other CEQA topic and establishes a consultation process for lead agencies and California tribes. Projects that require a Notice of Preparation of an EIR or Notice of Intent to adopt a ND or MND are subject to AB 52. A significant impact on a TCR is considered a significant environmental impact, requiring feasible mitigation measures.

TCRs must have certain characteristics:

- 1) Sites, features, places, cultural landscapes (must be geographically defined), sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be

eligible for inclusion in the California Register of Historic Resources or included in a local register of historical resources. (PRC § 21074(a)(1))

- 2) The lead agency, supported by substantial evidence, chooses to treat the resource as a TCR. (PRC § 21074(a)(2)) The first category requires that the TCR qualify as a historical resource according to PRC Section 5024.1. The second category gives the lead agency discretion to qualify that resource—under the conditions that it support its determination with substantial evidence and consider the resource’s significance to a California tribe.

The following is a brief outline of the process:

- 1) A California Native American tribe asks agencies in the geographic area with which it is traditionally and culturally affiliated to be notified about projects. Tribes must ask in writing.
- 2) Within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it.
- 3) A tribe must respond within 30 days of receiving the notification if it wishes to engage in consultation.
- 4) The lead agency must initiate consultation within 30 days of receiving the request from the tribe.
- 5) Consultation concludes when both parties have agreed on measures to mitigate or avoid a significant effect to a TCR, OR a party, after a reasonable effort in good faith, decides that mutual agreement cannot be reached.
- 6) Regardless of the outcome of consultation, the CEQA document must disclose significant impacts on TCRs and if any significant impacts are identified, discuss feasible alternatives or mitigation that avoid or lessen the impact.

California Health and Safety Code, Section 7050.5

This code requires that if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and recognizes or has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

California Public Resources Code, Sections 5020–5029.5

This code continued the former Historical Landmarks Advisory Committee as the state Historical Resources Commission. The commission oversees the administration of the California Register of Historical Resources and is responsible for the designation of state Historical Landmarks and Historical Points of Interest.

Public Resources Code Sections 5097-5097.994

Native American Historic Resource Protection Act; Archaeological, Paleontological, and Historical Sites; Native American Historical, Cultural, and Sacred Sites (Public Resources Code Section 5097-5097.994) specifies the procedures to be followed in the event of the unexpected discovery of human remains on nonfederal public lands. California Public Resources Code 5097.9 states that no public agency or private party on public property shall “interfere with the free expression or exercise of Native American Religion.” The code further states that:

No such agency or party [shall] cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine... except on a clear and convincing showing that the public interest and necessity so require. County and city lands are exempt from this provision, except for parklands larger than 100 acres.

California Public Resources Code, Section 5024.1. The California Register of Historical Resources (CRHR) is the state version of the NRHP program. The CRHR was enacted in 1992 and became official January 1, 1993. The CRHR was established to serve as an authoritative guide to the state’s significant historical and archaeological resources. Resources that may be eligible for listing include buildings, sites, structures, objects, and historic districts. CEQA identifies a historic resource as a property that is listed on—or eligible for listing on—the NRHP, CRHR, or local registers. NRHP-listed properties are automatically included on the CRHR.

Resources eligible for listing in the CRHR must retain enough of their historic character or appearance to be “recognizable as historic resources and to convey the reasons for their significance.” Under CRHR regulations, “it is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the NRHP, but they may still be eligible for listing in the California Register.” The California Office of Historic Preservation (OHP) has consistently interpreted this to mean that a California Register-eligible property must retain “substantial” integrity. Because CRHR regulations do not provide substantial written guidance on evaluating integrity, the NRHP bulletin, “How to Apply the National Register Criteria for Evaluation,” is used.

The CRHR also includes properties that: have been formally determined eligible for listing or are listed in the NRHP; are registered State Historical Landmark Number 770 and above; are points of historical interest that have been reviewed and recommended to the State Historical Resources Commission for listing; or are city and county-designated landmarks or districts (if criteria for designation are determined by OHP to be consistent with CRHR criteria).

Native American Heritage Commission

The National American Heritage Commission (NAHC) was created by statute in 1976, is a nine-member body appointed by the Governor to identify and catalog cultural resources (i.e., places of special religious or social significance to Native Americans and known graves and cemeteries of Native Americans on private lands) in California. The Commission is responsible for preserving and ensuring accessibility of sacred sites and burials, the disposition of Native American human remains and burial items, maintaining an inventory of Native American sacred sites located on public lands, and reviewing current administrative and statutory protections related to these sacred sites.

Existing Setting

The Chumash Native American Tribe occupied the City of Ventura for approximately 9,000 years. The Chumash were living in a string of coastal villages when Spanish explorers arrived in 1542. Shisholop village (at the south end of present-day Figueroa Street) was a thriving Chumash provincial capital at the time of the Spanish arrival.

Discussion of Potential Project Impacts

- a) **No Impact.** Impacts related to historical resources are evaluated in the Cultural Resources section, this section evaluated impacts specific to Tribal Cultural Resources. As discussed, there are no buildings or structures within the Project Site that are eligible to be listed on the CRHR or NRHP, including tribal cultural resources. The NAHC was contacted on September 17, 2024, to request a search of the Sacred Lands File (SLF) and a contact list of Native Americans culturally affiliated with the project vicinity. The NAHC responded to the SLF request on September 24, 2024, stating that the results of the search were negative. Additionally, there are no buildings or structures on-site or within the immediate vicinity of the Project Site that are classified as a local cultural or historical resource by the City's *General Plan*. Thus, impacts to TCRs would be less than significant.

- b) *Less than Significant Impact.* In compliance with AB 52, the District distributed letters in March 2025, notifying each tribe that may have knowledge of cultural resources within the Project Area of the Project.⁴² As of April 24, 2025, no response letters have been received by any Native American Tribe.

As discussed above, ground-disturbing activities associated with the Project could result in the discovery of previously undiscovered cultural resources. This includes potential discovery of tribal cultural resources. As stated in **MM- TCR-1** below, If Native American resources are discovered, the District would consult with the Native American monitor and affected tribe(s). Impacts to resources that are applicable under Public Resources Code Section 5024.1 would be less than significant.

MM TCR-1 Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the appropriate California Native American tribe monitor and/or archaeologist. The appropriate California Native American tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

⁴² The District distributed letters in compliance with AB 52 on March 20th, 2025.

19. UTILITIES AND SERVICE SYSTEMS

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of an UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability,

water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Ventura adopted its most recent UWMP, the *2020 Urban Water Management Plan for the City of Buenaventura (2020 UWMP)* in May 2021.

Assembly Bill (AB) 939

California AB 939 established the California Integrated Waste Management Board (CalRecycle), which required all California counties to prepare Integrated Waste Management Plans. In addition, AB 939 required all municipalities to divert 50 percent of their waste stream by the year 2000.

Senate Bill 1383 (2016)

SB 1383 (2016) established targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill granted CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

In January 2020, the most recent version of the California Green Building Standards Code (Cal Green) became effective. Cal Green establishes mandatory green building standards for new and remodeled structures in California. These standards include a mandatory set of guidelines and more stringent voluntary measures for new construction projects, in order to achieve specific green building performance levels as follows:

- Reduce indoor water use by 20 percent;
- Reduce wastewater by 20 percent;
- Recycle and/or salvage 50 percent of nonhazardous construction and demolition debris; and
- Provide readily accessible areas for recycling by occupant.

Local

General Plan Policies

The City's *General Plan* policies related to utilities and service systems include, are not limited to, the following:

Policy 5B: Improve services in ways that respect and even benefit the environment.

City of Ventura Municipal Code

Chapter 22.150 (Water Service Connection) of the City *Municipal Code* requires new lateral connections to the Ventura Water system to pay connection fees to the city as a method of recovering fair and proportionate share of capital costs of pumping and storage facilities and distribution lines. The numerical amount of these connection fees varies and is dependent upon meter size.

Existing Setting

Water: According to the 2020 *UWMP*, the Project Site and the surrounding area are serviced by the City for potable water. The City's sources of water supply include surface water (i.e., the Ventura River), groundwater supplies, and the California State Water Project. Based on the 2020 *UWMP*, the water demand irrigation in the year 2020 totaled to approximately 380 acre-feet (AF). The 2020 *UWMP* includes an analysis of water supply reliability projected through 2045. Based on this analysis, the City would provide adequate water supply to its service area under a normal supply and demand scenario, single dry-year supply and demand scenario, and multiple dry-year supply and demand scenario through 2045.

Wastewater: Wastewater within the City is treated by the Ventura Water Reclamation Facility (VWRF). The VWRF is a tertiary treatment plant that treats between approximately eight to nine million gallons of wastewater per day (MGD).⁴³ As of 2020, the VWRF has a design treatment capacity of 14 MGD.⁴⁴

Stormwater: Stormwater and non-stormwater runoff generated by the Project Site is discharged into existing storm drains that are owned by the City.

Dry Utility Services: Electricity and natural gas services at the project site are currently provided by Southern California Gas Company and Southern California Edison, respectively.^{45,46}

⁴³ City of Ventura, *Wastewater*, <https://www.cityofventura.ca.gov/503/Wastewater>, accessed April 7, 2025

⁴⁴ City of Ventura, *Wastewater*, <https://www.cityofventura.ca.gov/503/Wastewater>, accessed April 7, 2025.

⁴⁵ City of Ventura, *Clean Power Alliance*, <https://www.cityofventura.ca.gov/1489/Clean-Power-Alliance>, accessed April 7, 2025.

⁴⁶ Southern California Gas, *Gas Transmission Pipeline Interactive Map – Ventura*, <https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=12cb8fddd6184f1bafc565ed09e4f631>, accessed S April 7, 2025

Solid Waste: More than 98 percent of the solid waste collected in the City are disposed of at Toland Road Landfill.⁴⁷ The Toland Road currently has a remaining capacity of 16,068,864 tons of solid waste and would cease operation in April of 2033.⁴⁸

Discussion of Potential Project Impacts

a) *Less than Significant Impact.* The Project includes dock replacements and would not introduce new habitable structures to the Project Site, nor would it introduce new electrical systems to the Project Site (ex., dock lights, streetlights, etc.). Although the Project would reduce the overall square footage of the docks to allow for larger boats within the Harbor, these increases are considered nominal and would not result in an increase in demand for utility services. Thus, the Project would not increase the demand for water, wastewater, or dry utility services or facilities (i.e., electricity, natural gas, and telecommunication services) that would result in the relocation or construction of new facilities.

As discussed in **Section 10, Hydrology and Water Quality**, construction activities associated with the Project would increase the amount of stormwater runoff from the Project Site. However, the Project would implement BMP to reduce pollution and sedimentation from the Project Site into Ventura Harbor, in the event that substantial runoff does occur. The Project Site is currently developed. As such, the Project would not result in the need for the relocation or construction of new storm water drainage systems. Therefore, the Project would not result in increases in water or wastewater use that would require construction of new or expanded water facilities that could result in substantial environmental impacts. Thus, less than significant impacts would occur.

b) *Less than Significant Impact.* The Project is not anticipated to generate substantial amount of wastewater compared to existing conditions. Similarly, the Project is not expected to modify water usage in a substantial way. The City of Ventura has seen declining per capita water usage since 1985. In the period between 1985 through 1989, the annual per capita use averaged about 196 gallons per capita per day (GPCD). In 2020, the estimated water usage dropped to 104 GPCD.⁴⁹ By 2030, the City of Ventura expects to have 26,164 Acre-Feet (AF) of water supply per year, or roughly eight billion gallons per year.⁵⁰ Assuming a conservative estimate of the population of Ventura to be 113,500, the

⁴⁷ CalRecycle, *Jurisdiction Disposal by Facility and Alternative Daily Cover (ADC) Tons by Facility*. Available online: <https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility>, accessed April 8, 2025.

⁴⁸ CalRecycle, *SWIS Facility/Site Search*, Available online: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>, accessed April 8, 2025.

⁴⁹ City of Ventura, *Urban Water Management Plan*, 2020.

⁵⁰ Ibid.

City would have adequate water supply for any increase in population.⁵¹ The proposed project may have live-in residents, but any increase of wastewater generation or water demand due to the implementation of the proposed project would be accommodated for within the current water supply forecast. Therefore, the proposed project would not require the construction of new water or wastewater treatment facilities. Impacts are less than significant, and no further analysis is necessary.

c) *Less than Significant Impact.* The Project would not directly result in an increase in wastewater generation as no residential uses are proposed. The Project could increase the number of larger boats that could be docked at any one time with the revised slip mix but would decrease the total number of slips. As a result, there would likely be no change in the amount of wastewater generated on the site. As such, VWRP's would continue to be able to accommodate wastewater generated from the Project Site. Less than significant impacts would occur.

d, e) *Less than Significant Impact.* The Project does not propose to introduce any new habitable structures, such as residential or commercial uses, which would generate a substantial amount of solid waste. The total number of slips would be decreased. Further, the Project would comply, with all federal and state statutes and regulations related to solid waste, including AB 341 and the 2020 Cal Green Code. As such, less than significant impacts would occur.

⁵¹ City of Ventura, Urban Water Management Plan, 2020.

20. WILDFIRE

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Existing Setting

The Project Site is zoned Harbor Commercial by the City and has been previously developed. The Project Site and its surrounding uses are designated as “Commerce” according to the General Plan. The Project Site is predominantly developed with docks and boater uses. According to the California Department of Forestry and Fire (Cal Fire) Fire Hazard Severity Zone Viewer, the Project Site is not located in or near a State responsibility area nor is the Project Site designated as a very high fire severity zone in a Local responsibility area.^{52,53} The Project is not located within close to proximity to the existing evacuation routes.

⁵² California Department of Forestry and Fire Protection, *Fire Hazard Severity Zones in SRA, Ventura County*, November 7, 2007.

⁵³ California Department of Forestry and Fire Protection, *Very High Fire Severity Zone in LRA, Ventura*, October 6, 2010.

Discussion of Potential Project Impacts

- a) **No Impact.** The proposed improvements under the Project are limited to waterside improvements. As such, all construction activities associated within the Project would be contained on-site. As stated in **Section 9, Hazards and Hazardous Materials**, the Project would not impede the current emergency response operations outlined in the City's Emergency Operations Plan. Additionally, the Project is not expected to impede any of the existing emergency evacuation routes on- or off-site as it would be similar to existing conditions. Thus, no impact to an adopted emergency response or evaluation plan would occur.
- b) **No Impact.** As stated, the Project is not located within or near a State responsibility area nor is the Project Site designated as a very high fire severity zone. Accordingly, no impacts related to wildfire would occur.
- c) **Less than Significant Impact** The dock improvements under the Project would occur within the Ventura Harbor and no new infrastructure is being proposed as part of the Project. Thus, the Project's potential to exacerbate any fire risks, and impacts would be less than significant.
- d) **No Impact.** As discussed, all structures associated with the Project would occur within the Ventura Harbor. Additionally, the Project Site is not located within or near a State responsibility area or very high fire severity zone. Therefore, the Project would not result in wildfire risks that would expose people or structures to significant risks, including downslope or downstream flooding or landslides. No impact would occur.

21. MANDATORY FINDINGS OF SIGNIFICANCE

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
The lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur. Where prior to commencement of the environmental analysis a project proponent agrees to mitigation measures or project modifications that would avoid any significant effect on the environment or would mitigate the significant environmental effect, a lead agency need not prepare an EIR solely because without mitigation the environmental effects would have been significant (per Section 15065 of the <i>State CEQA Guidelines</i>):				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion of Potential Project Impacts

- a) ***Less than Significant Impact with Mitigation Incorporated.*** As discussed in the Biological Resources section, impacts to the existing marine wildlife population are potentially significant. However, with the implementation of **Mitigation Measures MM BIO-1** and **MM BIO-2**, impacts to marine species would be reduced to less than significant levels. As noted under the Cultural Resources section, the Project could potentially result in undiscovered archaeological resources on-site. However, with the implementation of **Mitigation Measure MM CUL-1** and **MM TCR-1** these impacts would be reduced to less than significant levels.

- b) *Less than Significant Impact with Mitigation Incorporated.* The Project generally would not contribute to potentially cumulatively considerable impacts. As indicated in the above analysis, with implementation of the required mitigation measures, the Project would not result in any unmitigated significant adverse impacts and/or cumulatively considerable impacts. Specifically, **Mitigation Measures MM BIO-1 through MM BIO-3, MM CUL-1, MM GEO-1 through MM GEO-4, and MM HYD-1 and MM HYD-2**, would reduce potentially significant impacts to less than significant levels. The Project does not include any unmitigated cumulatively considerable impacts when considered in connection with the effects of past, present and probably future projects. No further analysis is necessary.
- c) *Less than Significant Impact with Mitigation Incorporated.* As indicated in the above analysis, with implementation of the required mitigation measures, the Project would not result in any unmitigated significant adverse impacts. Thus, the Project would not have the potential to result in substantial adverse effects on human beings. No further analysis is needed.

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